

URBAN/MUNICIPAL

CA4 ON HBL A05

A31

JAN. 1989

Agenda/Minutes of the City
Council of the Corp. of
the City of Hamilton
Hamilton, Ont. Council

CAY ON HBL AOS
A31

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK



CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1989 January 10
7:30 o'clock p.m.
Council Chambers, City Hall

JT:mjw

A G E N D A

* Appointment of Citizens to Various Boards and Committees

1. Opening Prayer

Reverend Dr. John A. Johnston
MacNab Street Presbyterian Church
116 MacNab Street South

2. Proclamations

Hamilton Public Library Centennial Year

National Non-Smoking Week, 1989 January 12 to January 18

3. Presentation

Civic Awards - Hamilton Transway Girls Basketball Teams

4. Minutes

1988 December 13

5. Correspondence
6. Reports of the Standing Committees - attached
 - (a) Co-ordinating Committee
 - (d) Planning and Development Committee
 - (h) Licencing Committee
7. Notice of Motion for Next Meeting
8. First Reading of the Bills
9. Second Reading of the Bills - Committee of the Whole
10. Third Reading of the Bills
11. Question Period
12. Adjournment

M I N U T E S

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, DECEMBER 13, 1988
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps,
Christopherson, Agostino, Lombardo, Smith, Jackson, Merling,
Gallagher, Ross, Murray.

His Worship Mayor Robert M. Morrow called the meeting to order.

The Reverend Brian Burrows, St. Peter's Anglican Church, led the Council in prayer.

Certificates of Recognition were presented to the following:

- (i) Dr. Christopher Bart, H.E.C.F.I.
- (ii) Lieutenant Colonel and Mrs. Stanley N. Preece of the Salvation Army.

The minutes of the meeting of November 29, 1988 and the Inaugural Meeting of December 1, 1988, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Letter signed by members of the Taxi Industry regarding the issuance of taxi plates in the City of Hamilton, dated November 23, 1988.
2. Congratulatory letter from The Honourable Andrew S. Brandt, M.P.P., Leader of the Ontario Progressive Conservative Party, Toronto, Ontario, dated November 22, 1988.
3. Application from The Cadillac Fairview Corporation Limited, 20 Queen St. West, Toronto, Ontario, for a modification to the zoning, property located at 75 Centennial Parkway North, dated November 30, 1988.
4. Application from Arm-Orn Properties Limited, 11 Leslie Drive, Stoney Creek, Ontario, for a modification to the zoning, property located at 60 and 76 Harlowe Road, dated December 1, 1988.
5. Application from R. H. Budd Murray & Marjorie Anne Murray, 694 Upper James Street, Hamilton, Ontario, for a change in zoning, property located at 694-696 Upper James Street, dated December 2, 1988.
6. Application from Mr. E. Monkley, 849 Upper Wentworth Street, Hamilton, Ontario, for a modification to the zoning, property located at 81 Dartnall Road, dated December 2, 1988.

7. Application from Wardpark Developments Inc., Ward Campbell, President, Tony Battaglia, Secretary, c/o Starward Homes Ltd., 152 Hester Street, Hamilton, Ontario, for a change in zoning, property located on the south side of Rymal Road and west of Christie Street, dated December 2, 1988.
8. Application from Chrysler Canada Limited, P.O. Box 1623, Windsor, Ontario, for a change in zoning, property located on the east side of Upper James South and south of Rymal Road East, dated December 7, 1988.

* * * * *

His Worship Mayor Robert M. Morrow read a proclamation proclaiming the week of December 13th-20th, 1988 as "Armenian Relief Week".

* * * * *

It was moved by Alderman Jackson and seconded by Alderman Smith.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit the addition of a resolution respecting a donation to the Armenian Relief Fund. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 17.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Jackson and seconded by Alderman Drury.

RESOLVED: that a donation, in the amount of \$5,000.00, be made to the Armenian Relief Fund and that the money be obtained from the Unclassified Account. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 17.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Merling in the chair.

* * * * *

(A) CO-ORDINATING COMMITTEE - FIRST REPORT.

It was moved by Alderman Ross and seconded by Alderman Murray.

RESOLVED: that Section 1, reading as follows:

- "1. That the construction of storm water control dams in the Chateau Court - Scenic Drive area and the Stone Church Road - Dartnall Road area and the interception of storm drainage in the area of Chedoke Golf Course be proceeded with at an estimated gross cost of \$180,000. as provided for in the 1988 Portion of the 1988-1992 Capital Project, and be financed from the Reserve for Capital Projects, Account No. 0280-27.

NOTE: These dams will provide flood control by restricting the flow of storm water during heave runoff periods. In addition, the dams will regulate the flow of water to prevent damage to properties downstream from the projects.

The installation of four catch basins and associated drains will alleviate a flooding problem which occurs after heavy rainfall periods in the area of the Chedoke Golf Course.

The Transport and Environment Committee approved this project at its meeting on December 5, 1988."

be deleted and the following substituted in lieu thereof:

- "1. (a) That the Transport and Environment Committee be directed to hold a public meeting for the purpose of reviewing all options for the control of storm water in the Chateau Court - Scenic Drive area and the Stone Church Road - Dartnall Road area and the interception of storm drainage in the area of Chedoke Golf Course.
- (b) That the gross estimated cost of \$180,000., as provided for in the 1988 portion of the 1988-1992 Capital Budget for these improvements, be financed from the Reserve for Capital Projects, Account No. 0280-27." - CARRIED.

* * * * *

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - FIRST REPORT.

The recommendations of the Co-Ordinating Committee on Sections 18, 19, 20, 21 and 22, were carried.

* * * * *

It was moved by Alderman Gallagher and seconded by Alderman Ross.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit the consideration of a resolution respecting the temporary removal of "NO LEFT TURN" signs on Inverness Avenue. - CARRIED.

* * * * *

It was moved by Alderman Gallagher and seconded by Alderman Ross.

RESOLVED: that the following be added as Section 33:

"33. That the Director of Traffic Services be directed to temporarily remove the "NO LEFT TURN, 3:00 p.m. to 6.00 p.m., Monday to Friday" signs for eastbound traffic on Inverness Avenue at Highcliffe Avenue, from January to March, 1989 inclusive. - CARRIED.

* * * * *

(C) PARKS AND RECREATION COMMITTEE - FIRST REPORT.

* * * * *

(C) PARKS AND RECREATION COMMITTEE - SECOND REPORT.

Recorded vote on the Second Report.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 16.

NAYS: Mayor Morrow. - 1. CARRIED.

* * * * *

(D) PLANNING AND DEVELOPMENT COMMITTEE - FIRST REPORT.

Recorded vote on Section 14.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 16.

NAYS: Alderman Christopherson. - 1. CARRIED.

* * * * *

It was moved by Alderman Smith and seconded by Alderman Hinkley.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a Bill to remove the Holding Symbol "H" provision, contained in By-law No. 88-231, for lands at 21-71 Sanford Avenue North, 15 Sanford Avenue South, and 14 Acorn Street. - CARRIED.

* * * * *

It was moved by Alderman Smith and seconded by Alderman Hinkley.

RESOLVED: that the following be added as Subsection (b) to Section 15:

"15(b) Bill D-2 - A By-law to Amend Zoning By-law No. 88-231 and Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 21-71 Sanford Avenue North, 15 Sanford Avenue South, and 14 Acorn Street. - CARRIED.

* * * * *

(D) PLANNING AND DEVELOPMENT COMMITTEE - SECOND REPORT.

* * * * *

(E) LEGISLATION COMMITTEE - FIRST REPORT.

It was moved by Alderman Agro and seconded by Alderman Kiss.

RESOLVED: that Section 7 be amended by deleting the figure "\$2,000." in the last line and substituting in lieu thereof the figure "\$4,000." - CARRIED.

* * * * *

(G) FINANCE COMMITTEE - FIRST REPORT.

It was moved by Alderman Hinkley and seconded by Alderman Agro.

RESOLVED: that Subsection (d) of Section 12 be referred back. - CARRIED.

* * * * *

Recorded vote on Subsection (e) of Section 12.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 16,

NAYS: Alderman Agostino. - 1. CARRIED.

* * * * *

It was moved by Alderman McCulloch and seconded by Alderman Drury.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to introduce a Bill dealing with the disposition of surplus moneys of the Hamilton Municipal Retirement Fund. - CARRIED.

* * * * *

It was moved by Alderman McCulloch and seconded by Alderman Drury.

RESOLVED: that the following be added as Section 17.

"17. That leave be granted to introduce the following Bill:

(a) Bill G-1 - A By-law to Provide for the Disposition of Surplus Moneys on the Wind Up of the Hamilton Municipal Retirement Fund. - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that Alderman John Gallagher be appointed Acting Mayor for the month of January, A.D., 1989. - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the Report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 17.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-1,
B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10,
B-11, B-12, B-13, B-14, B-15, B-16, B-17, B-18, B-19,
B-20, B-21, B-22, B-23,
D-1, D-2,
E-1,
G-1,
N-2, N-3, N-4 - CARRIED.

* * * * *

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Merling in the chair.

A-1,
B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10,
B-11, B-12, B-13, B-14, B-15, B-16, B-17, B-18, B-19,
B-20, B-21, B-22, B-23,
D-1, D-2,
E-1,
G-1,
N-2, N-3, N-3.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time:

A-1,
B-1, B-2, B-3, B-4, B-5, B-6, B-7, B-8, B-9, B-10,
B-11, B-12, B-13, B-14, B-15, B-16, B-17, B-18,
B-19, B-20, B-21, B-22, B-23,
D-1, D-2,
E-1,
G-1,
N-2, N-3, N-4,

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley,
Drury, Copps, Christopherson, Agostino, Lombardo, Smith,
Jackson, Merling, Ross, Murray. - 16.

NAYS: 0 - CARRIED.

* * * * *

City Council adjourned at 9:18 p.m.

REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its SECOND Report for 1989 and respectfully recommends:

1. Approval of the following rate increases effective February 1, 1989 for parking facilities which The Parking Authority of the City of Hamilton manages on behalf of the Corporation.

(a) Underground Parking Garage:

1/2 Hour rate from \$.75 to \$.85

Daily maximum from \$5.00 to \$6.00

Flat rate/Special events from \$2.00 to \$3.00

(b) Queen/Hess/Napier (lot 67):

Monthly rate from \$15.00 to \$25.00 (excluding the Firestone parkers who are covered under a separate agreement.)

(c) Bay and Cannon (lot 66):

Monthly rate from \$18.00 to \$30.00 (excluding Navistar parkers who are covered under a separate agreement.)

NOTE: For the information of the Members of City Council these increases are being recommended by the Parking Authority who manage these facilities on the City's behalf. The Parking Authority has advised that the last major change in rates for Municipal Carparks took place almost two years ago. From that time and projecting to the end of 1989 it is expected that the costs of operating will have increased by 18% to 20% for surface parking and from 20% to 25% for the underground structure. These costs are basically for utilities, wages, taxes, and major or ongoing repairs and maintenance.

2. That leave be granted to introduce the following Bill:

(b) Bill A-2 A By-law to Confirm the Proceedings of the
Council of the Corporation of the City of
Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW
CHAIRMAN
CO-ORDINATING COMMITTEE

J. J. Schatz
Secretary
1989 January 05
/bc

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its THIRD Report for 1989 and respectfully recommends:

1. That the Building Commissioner be authorized to issue a demolition permit for the demolition of the following property:

 (a) 18 Rymal Road West

2. That a purchase order be issued to Weinmann Electric Ltd., Fort Erie in the amount of \$35,738.00 for the INSTALLATION of Lighting Fixtures and Poles for Westdale Village, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Only tender received. Funds provided in Commercial Improvement Programme; Westdale Village Account #0405-K75205.

As this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: The Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

3. That a purchase order be issued to Wesco, Hamilton in the amount of \$44,609.19 for the SUPPLY AND DELIVERY of Lighting Fixtures and Poles for Westdale Village, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in Commercial Improvement Programme; Westdale Village Account #0405-K75205.

As this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

4. That the Corporation of the City of Hamilton accept the sum of \$30,200.00 as cash payment in lieu of the 5% dedication in connection with Severance Application H-150-88 on the east side of Upper Wellington Street between Stone Church Road and Brigade Drive, this being the cash requirement under Section 52 of the Planning Act.

5. That the City of Hamilton accept the sum of \$15,450.00 as cash payment in lieu of 5% dedication in connection with "Eaglewood Manor", Hamilton, this being the cash requirement under Section 50 of the Planning Act.

NOTE: These lands are located west of Upper Gage Avenue and south of Stone Church Road in the Eleanor Neighbourhood.

6. (a) That **APPROVAL** be given to subdivision application 88-17, "Blossom Estates," Vincent Citino and John Piano, owners, to establish a draft plan of subdivision, west of the West Fifth Street, north of Stone Church Road East, subject to the following conditions:
- (i) That this approval apply to the plan prepared by A. J. Clarke & Associates, dated 1988 July 27, showing 20 lots, one block (Block "21") for development with adjacent lands and one block (Block "22") as a road widening.
 - (ii) That the owner acquire sufficient land to establish all streets included in the final plan to the full required width, if the required land is not to be established as public highway by City of Hamilton by-law.
 - (iii) That the owner is responsible for the full cost of establishing Street "A" between West Fifth Street and proposed street "B".
 - (iv) That only those parts of the plan to which road access and municipal services are available shall be released for registration.
 - (v) That the streets and street widening (Block "22") be dedicated as public highways on the final plan.
 - (vi) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - (vii) That the final plan conform with the Zoning By-law approved under The Planning Act.
 - (viii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
 - (ix) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - (x) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.

- (xi) That any dead-end or open side of the road allowances created by plan be terminated in 0.3m reserves to be conveyed to the City of Hamilton and to be held by the City until required for the extension of the road allowance or for the development of abutting lands.
 - (xii) That Block "21" be developed only in conjunction with abutting lands.
 - (xiii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
 - (xiv) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
 - (xv) That the owner receive a demolition permit in accordance with the "Rental Control Act" for the rented existing single-family dwelling.
- (b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-88-17), Vincent Citino and John Piano, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (c) That the neighbourhood plan be amended accordingly.
- (d) That street "B" across the City lands and the westerly 10.0m widening of Forbes Street be established by a by-law and the Department of Engineering be instructed to prepare the appropriate by-laws.
- 7.(a) That **APPROVAL** be given to Official Plan Amendment No. 70, to redesignate the subject lands from "Utilities" to "Industrial" and to extend "Special Policy Area 11", and that the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That **APPROVAL** be given to City Initiative 88-M to re-establish the "K" (Heavy Industry, etc.) District modified zoning applicable to the lands bounded by Burlington Street East, Oliver Street, Wilfred Street and Wentworth Street, and bounded by Wentworth Street North, Niagara Street and Land Street, shown as "Blocks "1" and "2" on the attached map marked as APPENDIX "A", on the following basis:

- (i) That Schedule "A3" to By-law No. 83-240 be amended by deleting the subject lands shown as Blocks "3" and "4" therefrom; and that the text of By-law 83-240 be appropriately amended;
- (ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-10, E-11 and E-19 for presentation to City Council;
- (iii) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 70 by the Regional Municipality of Hamilton-Wentworth.

NOTE: The purpose of the By-law is to delete the blocks of land bounded by Burlington Street East, Oliver Street, Wilfred Street and Wentworth Street North, Niagara Street and Land Street, shown as Blocks "1" and "2" from Schedule "A3" to By-law No. 83-240.

The effect of the By-law is to repeal the proposed "F-4" (Waterfront Services) District modified zoning on the subject lands (not yet approved), thereby re-establishing the former "K" (Heavy Industry, etc.) District modified zoning.

- 8. (a) That Hamilton City Council support the Township of Kingston's resolution requesting the Provincial Government to consider the issue of exclusionary zoning in the context of a formal Housing Policy Statement, instead of introducing a separate Bill prior to the finalization of the Housing Policy Statement, attached herewith and marked Appendix "B", and,
- (b) That the City Clerk inform the Township of Kingston of City Council's decision.
- 9. That APPROVAL be given to Zoning Application 88-76, Commisso and Pobega Limited, owner, for a modification to the established "M-11" (Prestige Industrial) District regulations, to allow a "Garden Centre" as an additional use on the property located at No. 1167 Rymal Road East, as shown on the attached map marked as APPENDIX "C", on the following basis:
 - (a) That the "M-11" (Prestige Industrial) District regulations as contained in Section 17C of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variance as a special requirement:

- (i) That notwithstanding Section 17C (1)(c) the following additional commercial use shall be permitted:

S.I.C. Identification No.
6522

Commercial Use
Lawn and Garden Centres

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1106, and that the subject lands on zoning District Map E-59D be notated S-1106;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59D for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a modification to the "M-11" (Prestige Industrial) District regulations for property located at No. 1167 Rymal Road East.

The effect of the By-law is to permit a "Garden Centre" as an additional use on the site.

10. That Zoning Application 88-56, 414028 Ontario Limited, owner, requesting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "G-3" (Public Parking Lots) District, for property located at No. 106 and 108 Canada Street as shown on the attached map marked as APPENDIX "D" BE DENIED for the following reason:

- (a) The proposed development is considered to be inappropriate.

11. That APPROVAL be given to Zoning Application 88-89, Norman and Louise Lewis and Robert and Marilyn Mueller, owners, requesting a change in zoning from the "B" (Suburban Agriculture and Residential, etc.) District to the "C" (Urban Protected Residential, etc.) District to permit the creation of two building lots for single-family dwellings, for lands located at the rear of Nos. 66 and 70 Kennedy Avenue as shown on the attached map marked as "APPENDIX "E", on the following basis:

- (a) That the subject lands be rezoned from the "B" Suburban Agriculture and Residential, etc.) District to the "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9E for presentation to City Council;

- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from the "B" (Suburban Agriculture and Residential, etc.) District to the "C" (Urban Protected Residential, etc.) District for lands located at Nos. 66 and 70 Kennedy Avenue.

The effect of the By-law is to allow for the severance of the subject properties to create two single-family dwelling building lots fronting onto Christie Street.

12. That APPROVAL be given to Zoning Application 88-86 Wellington Chase Inc., owner, for a modification to the "E-2" (Multiple Dwellings) District, for property located on the east side of Upper Wellington Street, south of Stone Church Road East, as shown on the attached map marked as APPENDIX "F", on the following basis:
- (a) That the "E-2" (Multiple Dwellings) District regulations as contained in Section 11B of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements.
 - (i) Notwithstanding the provision of Section 11B(2)(ii) and (iii) of Zoning By-law No. 6593 the maximum height of buildings or structures shall be five stories.
 - (ii) Notwithstanding the provisions of Section 11B(5) of Zoning By-law No. 6593 the density of development shall not exceed 50 units per gross hectare (20 units per gross acre) with respect to multiple dwelling development.
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1107, and that the subject lands on zoning District Maps E-18C and E-18D be notated S-1107;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-18C and E-18D
 - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (e) That the Barnstown Neighbourhood Plan be amended by redesignating the subject lands from "Medium Density Apartments" to a "Low Density Apartment" land use.

NOTE: The purpose of the By-law is to provide for a modification to the established "E-2" (Multiple Dwellings) District regulations applicable to lands located on the east side of Upper Wellington Street in the area south of Stone Church Road East.

The effect of the By-law is to provide for the following By-law variances as special requirements:

- a) to restrict the maximum height of buildings or structures on the site to five stories whereas a maximum height of eight stories would normally be permitted (Section 11B(2)(ii) and (iii)).
- b) to restrict the density of development on the site to 50 units per gross hectare with respect to multiple dwelling developments.

13. That Zoning Application 88-81, 632734 Ontario Inc., (Benemar Developments), prospective owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations to permit the conversion of the existing single-family dwelling into three condominium units, for lands located at No. 105 Aberdeen Avenue, as shown on the attached map marked as APPENDIX "G", BE DENIED for the following reason:

- (a) The proposed development is inappropriate.

14. That APPROVAL be given to City Initiative 88-J for an amendment to the "M-12", "M-13", "M-14" and "M-15" (Prestige Industrial) District regulations of Zoning By-law No. 6593 on the following basis:

- (a) That Table 4 Commercial Uses of Section 17D, 17E, 17F and 17G of Zoning By-law No. 6593 be further amended by adding to the "M-12", "M-13", "M-14" and "M-15" Districts, the following commercial use:

S.I.C. Identification No.

Commercial Use

7752

Offices of Engineers

- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council.
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a general text amendment to the "M" (Prestige Industrial) District provisions of the Zoning By-law No. 6593.

The effect of the By-law is to amend the list of commercial uses permitted within the "M-12", "M-13", "M-14" and "M-15" Districts, by the addition of the following use identified under the Standard Industrial Classification Code:

S.I.C. Identification No.
7752

Commercial Use
Offices of Engineers

15. That APPROVAL be given to City Initiative 87-F to amend the "M-14" (Prestige Industrial) and "M-15" (Prestige Industrial) Districts to delete certain industrial uses which are currently permitted, on the following basis:

- (a) That notwithstanding Section 17F ("M-14" District) the following industrial uses shall be prohibited:

<u>Identification No.</u>	<u>Industrial Use</u>
(i) 3254	Automotive Leaf Spring Manufacturing
(ii) 3259	Automotive Firewalls Manufacturing
(iii) 3561	Primary Glass and Glass Containers
(iv) 3592	Asbestos Products

- (b) That notwithstanding Section 17G ("M-15" District) the following industrial uses shall be prohibited:

<u>Identification No.</u>	<u>Industrial Use</u>
(i) 3259	Automotive Firewalls Manufacturing
(ii) 3561	Primary Glass and Glass Containers
(iii) 3592	Asbestos Products
(iv) 3699	Other Petroleum and Coal Products

- (c) That the amending By-law recognize as legal conforming uses any of the industrial uses listed in recommendation (a)(i) and (ii) in the "M-14" and "M-15" Districts which are existing at the date of the passing of the amending By-law.
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for submission to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-Law is to provide for a modification to the "M-14" (Prestige Industrial) and "M-15" (Prestige Industrial) Districts, to delete the following industrial uses:

<u>Identification No.</u>	<u>Industrial Uses</u>	<u>District</u>
(a) 3254	Automotive Leaf Spring Manufacturing	"M-14"(Prestige Industrial) District
(b) 3259	Automotive Firewalls Manufacturing	"M-14"(Prestige Industrial) District "M-15"(Prestige Industrial) District
(c) 3561	Primary Glass and Glass Containers Manufacturing	"M-14(Prestige Industrial) District "M-15(Prestige Industrial) District
(d) 3592	Asbestos Products	"M-14"(Prestige Industrial) District "M-15"(Prestige Industrial) District
(e) 3699	Other Petroleum and Coal Products	"M-15"(Prestige Industrial) District

16. That APPROVAL be given to City Initiative-86-U providing for a general text amendment to Zoning By-law No. 6593 respecting flea markets on the following basis:

(a) That Section 2 (Interpretation and Definitions) be amended by adding the following new definitions:

(i) "2.2(D)(ia) "Flea market" means a place, building or structure on or in which are situated stands at which trades, calling businesses or occupations are carried on by separate vendors"

(ii) "2.2(D)(via) "Stand" means an area in the flea market at which new or used goods are exposed or offered for sale.

(iii) Renumber subsequent clauses accordingly.

(b) That Section 13B, "G-2" (Regional Shopping Centre) District be amended by adding a "flea market" as a permitted commercial use under a new Section 13B(1)(k);

- (c) That Section 15, "I" (Central Business District, etc.) District be amended by adding a "flea market" as a permitted commercial use under a new Section 15.(1)(viii);
- (d) That a flea market shall be prohibited where it abuts a residential district except in a "G-2" (Regional Shopping Centre) District;
- (e) That a flea market shall be prohibited outdoors.
- (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for submission to City Council;
- (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose and effect of this by-law is to provide for a general text amendment to the Zoning By-law No. 6593;

- (a) to establish definitions of a flea market, and a "stand" and,
 - (b) to permit a flea market as a commercial use in the "G-2" (Regional Shopping Centre) District, "I" (Central Business District, etc.) District, "J" (Light and Limited Heavy Industry, etc.) District and "K" (Heavy Industry, etc.) District;
 - (c) to prohibit a flea market where it abuts a residential district except in the "G-2" (Regional Shopping Centre) District;
 - (d) to prohibit outdoor flea markets.
17. (a) That the proposed Gourley Neighbourhood Plan attached herewith and marked Appendix "H" BE APPROVED by City Council; and,
- (b) That a tree preservation plan be required as part of the process for plan of subdivision for the area designated for larger lots.

18. That leave be granted to introduce the following Bills:

- | | |
|--------------|--|
| (a) Bill D-3 | A By-law to amend Zoning By-law No.6593
respecting land located at 181 Victoria Avenue
South |
| (b) Bill D-4 | A By-law to amend Zoning By-law No. 6593
respecting land located at 12 Ray Street South |

Respectfully submitted

Alderman J. Smith, Chairman
Planning and Development Committee

Susan K. Reeder
Secretary
1988 December 14th



LEGEND.

Blocks 1 & 2



SUBJECT LANDS.

D-12

Appendix "A" as referred to in Section 7 of the THIRD Report for 1989 of the Planning and Development Committee

Agenda Item No. _____



Resolution No. _____

TOWNSHIP OF KINGSTON COUNCIL

RESOLUTION

November 1st, _____ 19 88

Township Administration Building

Moved by Dave Farrow

Seconded by L. White

WHEREAS Section 3 of the Planning Act is intended to guarantee wide consultation with appropriate bodies prior to the approval, and implementation, of Provincial Policy statements;

AND WHEREAS a proposed Housing Policy Statement has been released for discussion with comments requested by February 28th 1989;

AND WHEREAS the Province has indicated that it intends to pass legislation regarding Exclusionary Zoning (i.e. amending the Planning Act to prohibit municipalities from using traditional single family occupancy zoning control techniques within neighbourhoods) prior to finalizing the Housing Policy Statement;

AND WHEREAS proceeding with the Exclusionary Zoning matter in this manner is inconsistent with the intent of Section 3 of the Planning Act 1983, especially given the potential relationship between affordable housing and exclusionary zoning;

NOW THEREFORE BE IT RESOLVED that the Province be reminded of the commitment set out in Section 3 of the new Planning Act and requested to consider the matter of Exclusionary Zoning only in the context of a formal Provincial Policy Statement such as the Housing Policy Statement,

AND that a copy of this resolution be forwarded to the Premier, our local member of Provincial Parliament, and the Association of Municipalities of Ontario;

AND that a copy of this resolution be sent to other municipalities with a population over 5,000 with a request for support.

RECORDED VOTE:

CARRIED



TABLED



In Favour

Against

Absent

LOST



Reason: _____

I, D.A. GORDON, CLERK OF THE TOWNSHIP OF KINGSTON, HEREBY CERTIFY THIS TO BE TRUE AND ACCURATE COPY OF A RESOLUTION PASSED BY KINGSTON TOWNSHIP COUNCIL NOVEMBER 1ST, 1988.

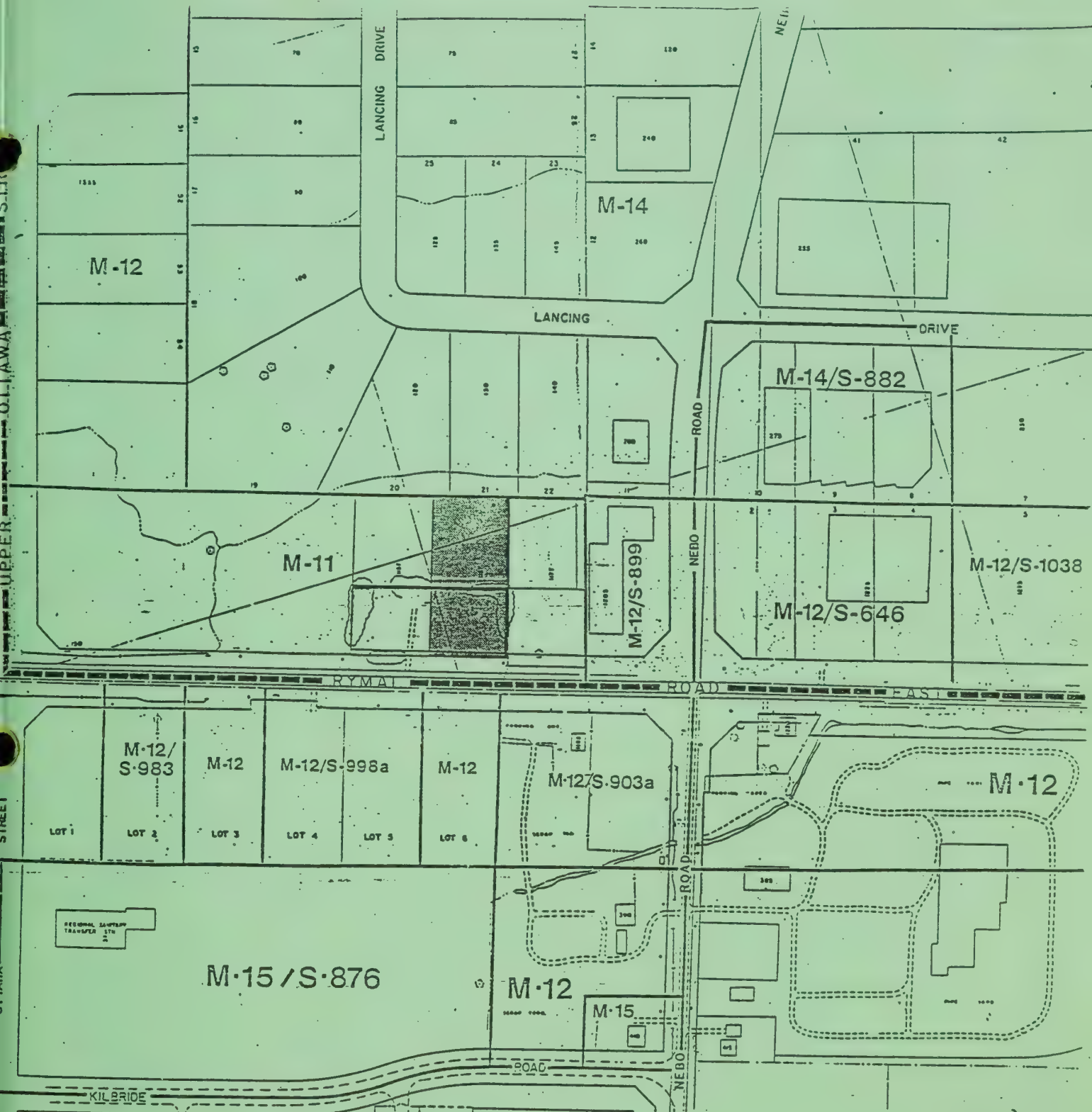
D-13

Appendix "B" as referred to in Section 8 of the Third Report for 1989 of the Planning and Development Committee

.....
D.A. GORDON, A.M.C.T., C.M.C.,
CLERK

I. Turner

Reeve



Legend



Site of the Application



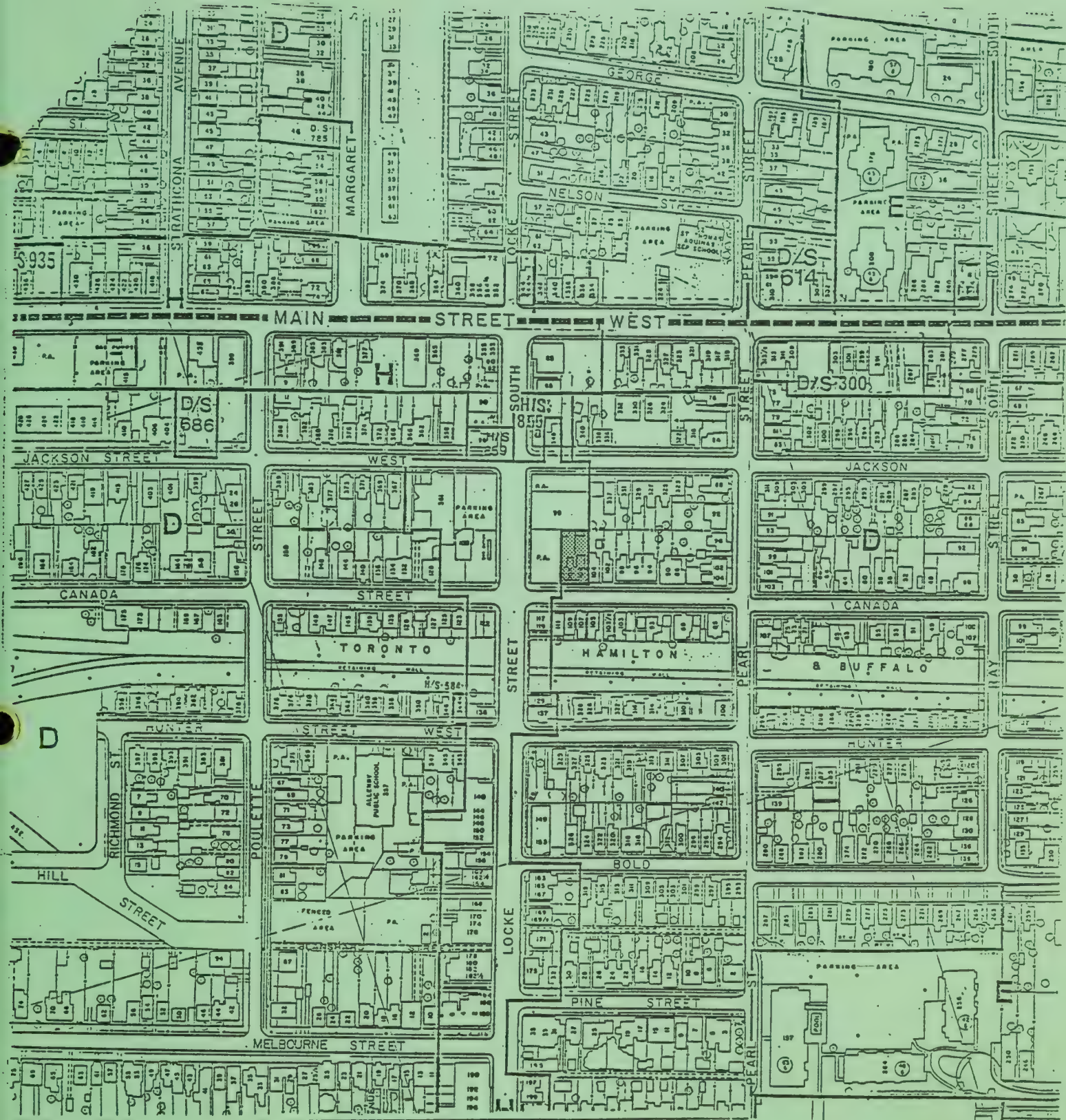
ZA-88-76

D-14

Appendix "C" as referred to in
Section 9 of the THIRD Report for
1989 of the Planning and Development
Committee.

APPENDIX

H

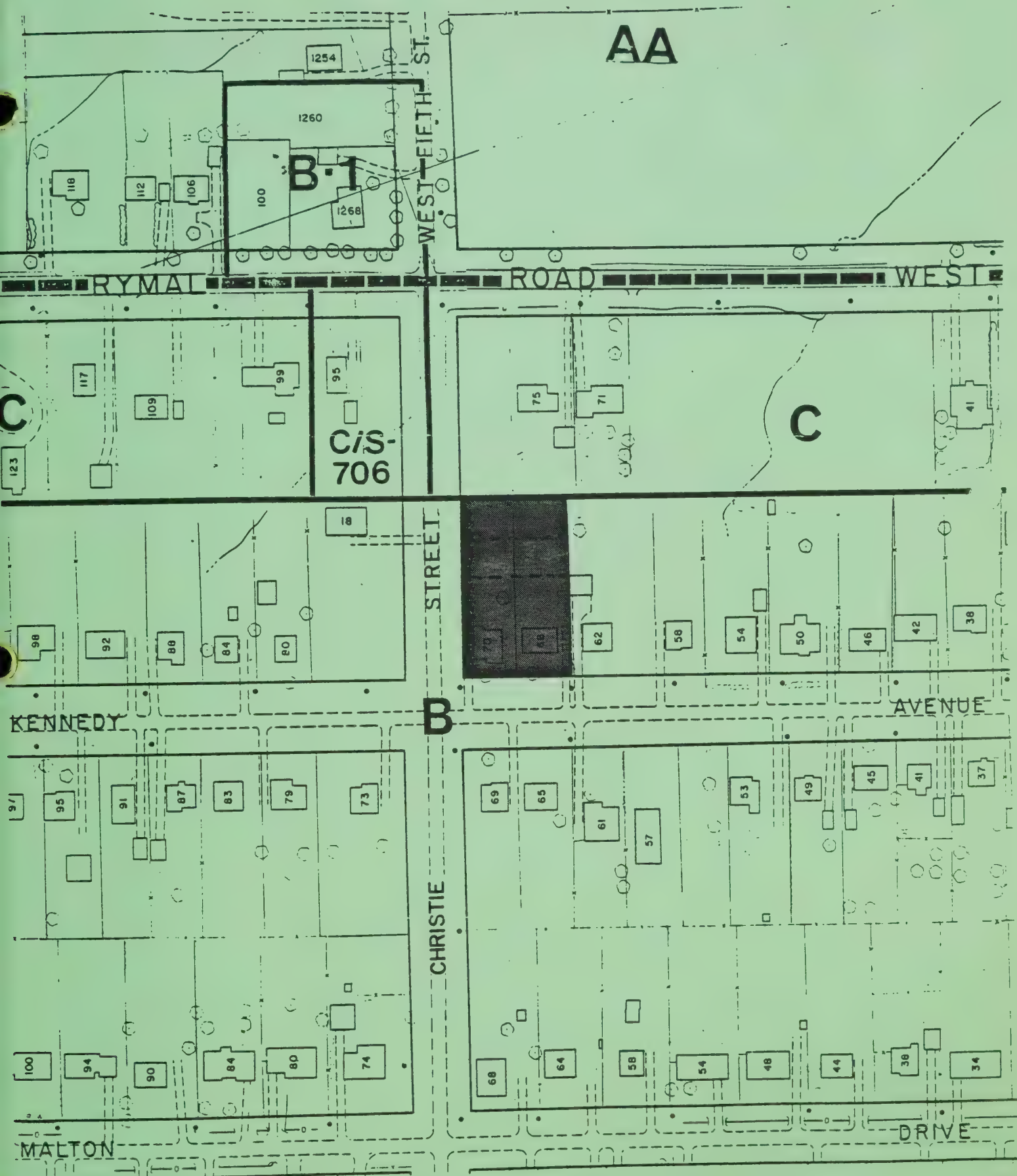


LEGEND



SITE OF THE APPLICATION

ZA-88-56



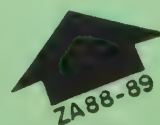
Legend



Site of the Application

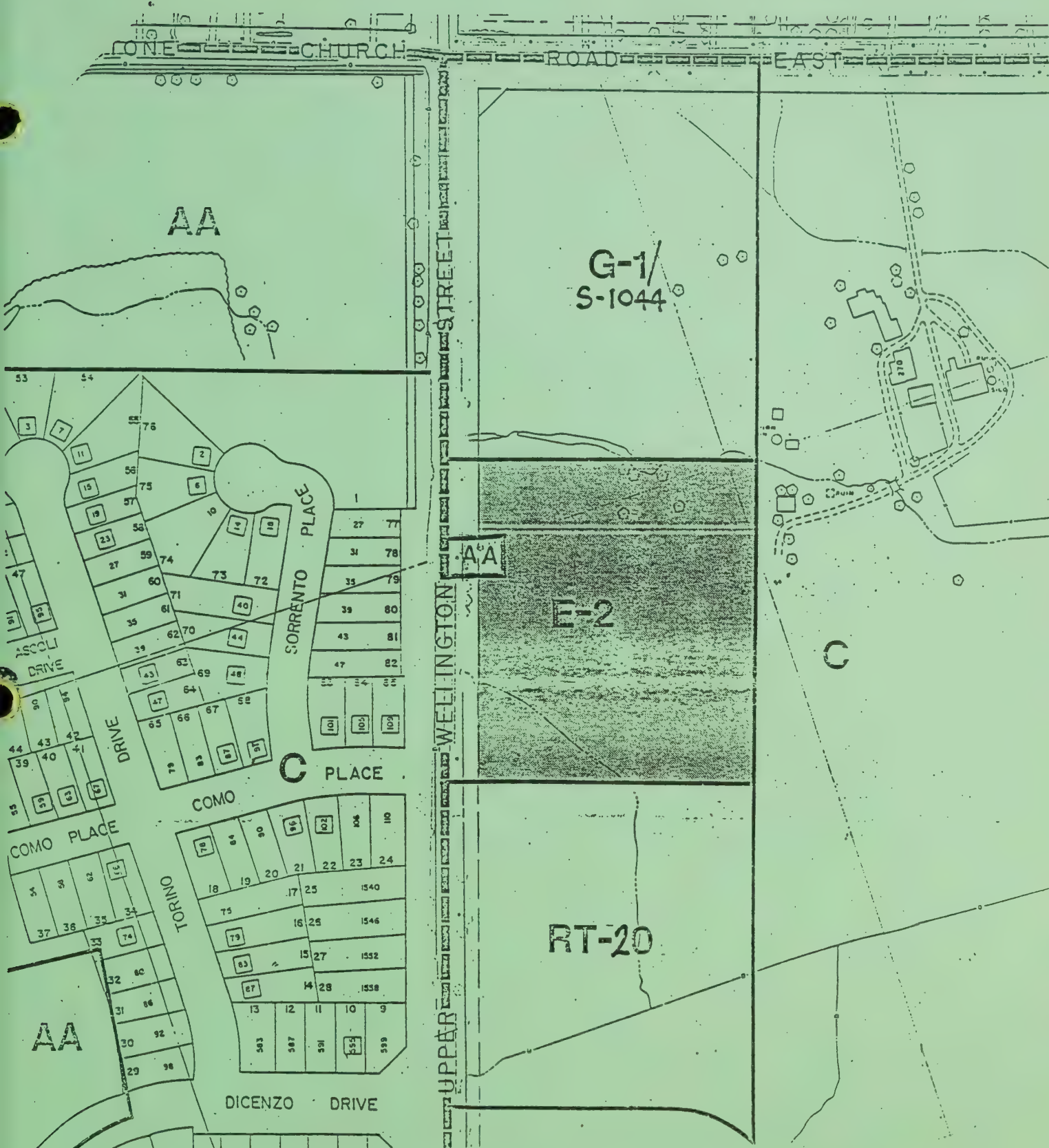
D-16

Appendix "E" as referred to in
Section 11 of the THIRD Report for
1989 of the Planning and Development
Committee.



APPENDIX A

H



Legend



Site of the Application

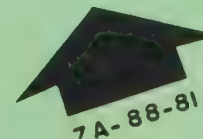




LEGEND



SITE OF THE APPLICATION



Area Deferred

- Separate School Lands
- Public School Lands
- City Lands
- • • Area of Larger Lots

SPECIAL ACCESS REQUIRED:
Approx. 425' (possible driveway
to internal street.)

NOTE: THIS IS A GUIDE PLAN ONLY AND SUBJECT TO CHANGE
FOR DETAILS CONTACT THE LOCAL PLANNING DIVISION OF
THE REGIONAL MUNICIPALITY OF HAMILTON-NORTH WORTH

LAND USE

RESIDENTIAL

- single & double
- ▨ attached housing
- ▩ low density apte.
- ▧ medium density apte.
- ▦ high density apte.
- ▥ commercial & apte.

COMMERCIAL

- ▨ INDUSTRIAL
- ▧ CIVIC & INSTITUTIONAL
- ▦ PARK & RECREATIONAL
- ▥ OPEN SPACE
- ▩ UTILITIES

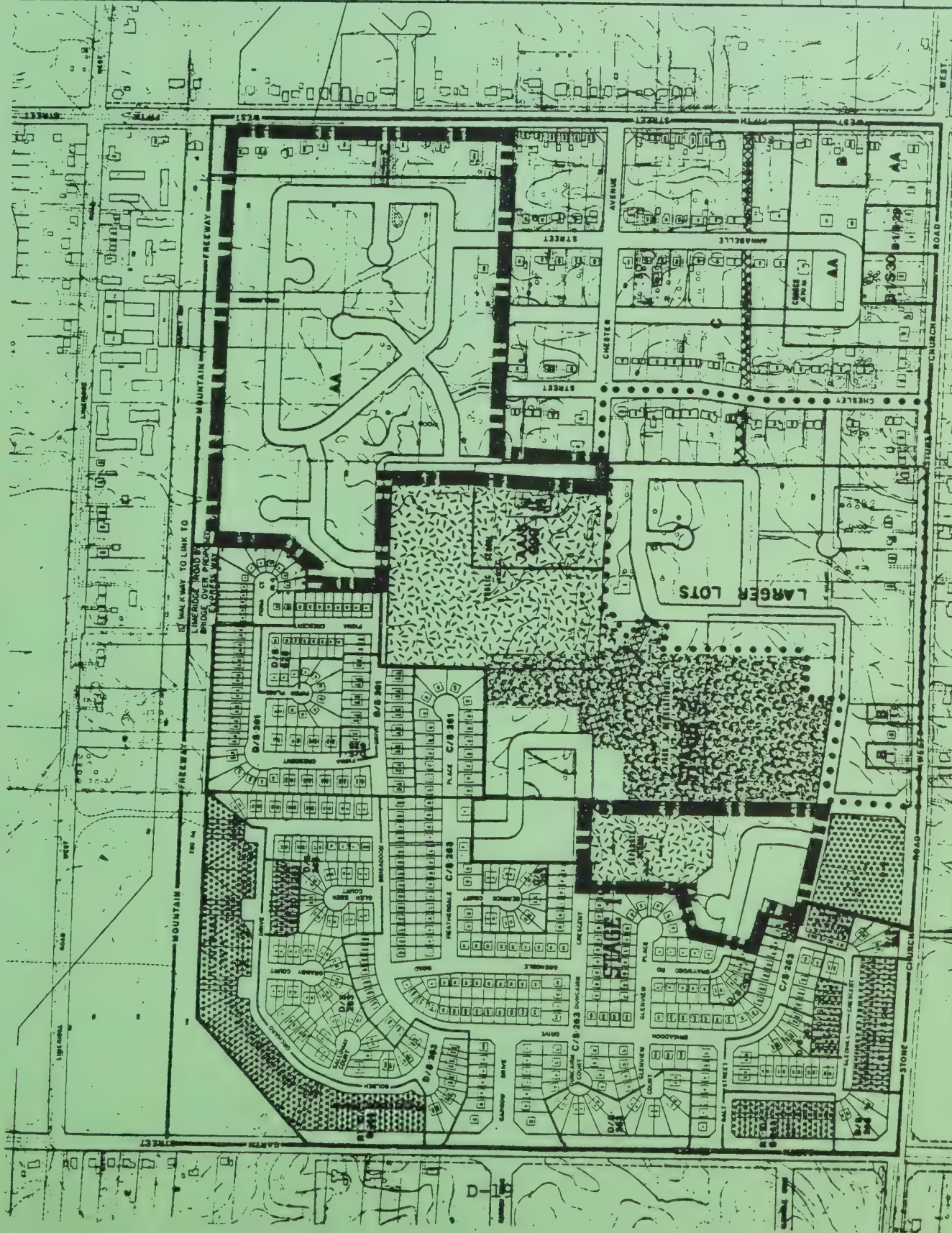
- Neighbourhood Boundary
- Zoning Boundary
- Staging of Development Boundary
- Approvable street map
- Planning Bd. Study Area
- Council Study Area

Approved
Planning Committee Dec. 14/88 Council

**CITY OF HAMILTON
PLANNING DEPARTMENT
GOURLEY
APPROVED PLAN**



Appendix "II" as referred to in
Section 17 of the THIRD Report for
1989 of the Planning and Development
Committee.



REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its FIRST Report for 1989 and respectfully recommends:

1. That the Cab driver's licence application of Harold Kelley, 20 Locke Street North, Hamilton L8R 3A3, be denied.

NOTE: For the information of Members of City Council, Mr. Kelley appeared before the City of Hamilton Licensing Committee at its meeting held 1988 December 14. Information was presented to the Committee, together with the applicant's extensive driving record. After consideration by members of the Committee, it was recommended that the license application be denied.

RESPECTFULLY SUBMITTED

ALDERMAN D. CHRISTOPHERSON
CHAIRMAN
LICENSING COMMITTEE

Stella M. Glover
Secretary
1988, December 14

/jc

C44 ON HBL AOS
A31



E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK

CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK
MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1989 January 31
7:30 o'clock p.m.
Council Chambers, City Hall

JT:mjw

A G E N D A

1. Opening Prayer

Reverend E. Robert Yanke
MacNeill Baptist Church
1145 King Street West

2. Presentation

Certification of Recognition - McDonald's Restaurants of Canada Ltd.

3. Proclamations

- (a) Jaycee Week, 1989 January 22 to January 28
- (b) Duet Club of Hamilton, 100th Anniversary Year
- (c) White Cane Week, 1989 February 05 to February 11
- (d) Cable Television Month , February, 1989
- (e) Black History Month, February, 1989
- (f) Heart and Stroke Month, February, 1989

4. Minutes

1989 January 10

1989 January 17

5. Correspondence

6. Reports of the Standing Committees - attached

- (a) Co-ordinating Committee
- (b) Transport and Environment Committee
- (c) Parks and Recreation Committee
- (d) Planning and Development Committee
- (e) Legislation Committee
- (f) Personnel Committee
- (g) Finance Committee
- (i) Information Systems Committee

7. Notice of Motion for Next Meeting

8. First Reading of the Bills

9. Second Reading of the Bills - Committee of the Whole

10. Third Reading of the Bills

11. Question Period

12. Adjournment

M I N U T E S

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, JANUARY 10, 1989
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor.

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury,
Copps, Christopherson, Agostino, Lombardo, Smith,
Jackson, Merling, Gallagher, Ross, Murray.

His Worship Mayor Robert M. Morrow called the meeting to order.

The Reverend Dr. John A. Johnston, MacNab Street Presbyterian Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow read the following Proclamations:

- (i) Hamilton Public Library Centennial Year.
- (ii) National Non-Smoking Week - January 12 to January 18, 1989.

His Worship Mayor Robert M. Morrow presented civic awards to members of the Hamilton Transway Girls Basketball Teams.

The minutes of the meeting of December 13, 1988, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Letter from Mr. E. A. Simpson, City Clerk, advising objections received to By-law Number 88-261, dated December 30, 1988. NO ACTION TAKEN.
2. Application from 683595 Ontario Inc. (Nesci Developments), 19 Stella Court, Hamilton, Ontario, for a change in zoning, properties located at 694 Pritchard Road and 1565 Rymal Road East, dated December 13, 1988.
3. Application from S. G. Kemp, 121 Vansitmart Avenue, Hamilton, Ontario, for a change in zoning, property located at 18 Christie Street, dated December 13, 1988.
4. Application from Eric Charles, 172 Ferguson Avenue North, Hamilton, Ontario, for modification to the zoning, property located at 189 Oak Avenue, dated December 14, 1988.

5. Application from Ted Valeri and Anthony Ferro, c/o 2140 King Street East, Hamilton, Ontario, for a change in zoning, property located at 89 Stone Church Road West, dated December 19, 1988.
6. Application from T. Valeri Construction Limited, 2140 King Street East, Hamilton, Ontario, for a change in zoning, property located at the corner of Stone Church Road East and Upper Wentworth Street, dated December 19, 1988.
7. Application from Hampshire Properties Inc., Arthur Weisz Real Estate Limited and Hyman Richter, 242 Main Street East, Hamilton, Ontario, for a change in zoning, property located at 1275 and 1317 Upper James Street, dated December 27, 1988.
8. Application from Borjc Willgren, 294 Lake Ave. North, Hamilton, Ontario, for a change in zoning, property located at 294-298 Lake Avenue North, Hamilton, Ontario, dated December 29, 1988.
9. Application from John Norris, et al, 105 Lavina Crescent, Hamilton, Ontario, for an amendment to Section 3(viii) of the Hamilton Zoning By-law No. 6593, dated December 29, 1988.
10. Application from Lawrence R. Desaulniers, 172 Beach Road, Hamilton, Ontario, for a modification to the zoning, property located at 172 Beach Road, dated January 3, 1989.
11. Application from Ankam Properties Ltd., 76 St. Clair Avenue West, Suite 700, Toronto, Ontario, for a change in zoning, property located at 1117-1119 Fennell Avenue East, dated January 3, 1989.
12. Letter from Mr. Mike Bradley, Chairman, Large Urban Section of AMO, Suite 805, 100 University Avenue, Toronto, Ontario, re "Authority to Establish Severance Pay Provisions", dated January 5, 1989.

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Gallagher in the chair.

(A) CO-ORDINATING COMMITTEE - SECOND REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Christopherson, Smith, Jackson, Gallagher, Ross, Murray. - 12.

NAYS: Aldermen Kiss, Copps, Agostino. - 3. CARRIED.

(D) PLANNING AND DEVELOPMENT COMMITTEE - THIRD REPORT.

Recorded vote on Section 8.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 16.

NAYS: Alderman Christopherson. - 1. CARRIED.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Agro.

RESOLVED: that Section 10 be amended by deleting lines 6 and 7, reading as follows:

"DENIED for the following reason:

(a) The proposed development is considered to be inappropriate."

and inserting the following in lieu thereof:

"APPROVED on the following basis:

- i) That the subject lands be rezoned from 'D' (Urban Protected Residential One and Two-Family Dwellings, Townhouses, etc.) District to 'G-3' (Public Parking Lots) District;
- ii) That the 'G-3' (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-law No. 6593 be modified to include the following variance as a special requirement:
 1. To prohibit vehicular access to Canada Street.
 2. That a landscaped planting strip having a minimum width of 3.0m (9.84 ft.), and a visual barrier not less than 1.2m (3.94 ft.) nor more than 2.0m (6.56 ft.) shall be provided and maintained along and within the southerly property line of the site which is located opposite the residentially zoned properties along the south side of Canada Street.
- iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1108, and that the subject lands on Zoning District Map W-13 be noted S-1108;

- iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-13 for presentation to City Council.
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- vi) That the Kirkendall North Neighbourhood Plan be amended by redesignating the subject lands from 'Single and Double' residential to a 'Commercial' land use.
- vii) That the amending By-law not be forwarded for final Council approval until such time as a site plan is approved by the Planning and Development Committee.

NOTE: The purpose of the By-law is to provide for a change in zoning of the subject lands from 'D' (Urban Protected Residential, One and Two Family Dwellings, Townhouses, etc.) District to 'G-3' (Public Parking Lots) District, for properties located at No. 106 and 108 Canada Street.

The intent of the By-law is to provide additional off-street parking for patrons of the Calabria Supermarket located at No. 103 Locke Street South which adjoins the subject lands.

In addition, the By-law provides for the following variance as a special provision:

- (a) To prohibit vehicular access to Canada Street;
- (b) To require a 3.0m (9.84 ft.) wide landscaped planting strip and a visual barrier not less than 1.2m (3.94 ft.), not more than 2.0m (6.56 ft.) along and within the southerly property line of the site which is located opposite the residentially zoned properties along the south side of Canada Street."

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: Aldermen Kiss, Smith. - 2. CARRIED.

* * * * *

It was moved by Alderman Smith and seconded by Alderman Gallagher.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit the introduction of a Bill respecting Flea Markets. - CARRIED.

It was moved by Alderman Smith and seconded by Alderman Christopherson.

RESOLVED: that the following Bill be added as Section 18(c):

Bill D-5 A By-law to Amend Zoning By-law No.
6593 Respecting Flea Markets. - CARRIED.

* * * * *

(D) PLANNING AND DEVELOPMENT COMMITTEE - FIRST REPORT.

It was moved by Alderman Jackson and seconded by Alderman Smith.

RESOLVED: that Section 10 respecting Zoning Application 88-80 for lands located at 1500, 1514 and 1522 Upper Ottawa Street, adopted by City Council at its meeting held Tuesday, December 13, 1988, reading as follows:

"10. That APPROVAL be given to Zoning Application 88-80, Mr. L. W. Bertrand, Mr. R. Gallagher and Mr. J. Ferguson, owners, for changes in zoning (Block 1) from 'AA' (Agricultural District to 'R-4' (Small Lot Single-Family Detached) District and (Block 2) from 'AA' (Agricultural) District to 'DE-3' (Multiple Dwellings) District, for lands located at Nos. 1500, 1514 and 1522 Upper Ottawa Street, as shown on the attached map marked as APPENDIX 'C' on the following basis:

- (a) That the lands described as Block 1 be rezoned from 'AA' (Agricultural) District to 'R-4' (Small Lot Single-Family Detached) District;
- (b) That the lands described as Block 2 be rezoned from 'AA' (Agricultural) District to 'DE-3' (Multiple Dwellings) District;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49d;
- (d) That the Templemead Neighbourhood Plan be amended by redesignating the following:
 - (i) Block 1 - From 'Attached Housing' and 'Low Density Apartments' to 'Single and Double' residential.
 - (ii) Block 2 - From 'Attached Housing' to 'Low Density Apartments'.

NOTE: The purpose of this By-law is to provide for changes in zoning for properties located at Nos. 1500, 1514 and 1522 Upper Ottawa Street, on the following basis:

- (a) Block 1 - From 'AA' (Agricultural) District to 'R-4' (Small Lot Single-Family Detached) District; and
- (b) Block 2 - From 'AA' (Agricultural) District to 'DE-3' (Multiple Dwellings) District.

The effect of the By-law is to permit small lot single-family dwellings on the lands described as Block 1, and to permit low density apartment and/or townhouse development on the lands described as Block 2." -

be reconsidered. - CARRIED.

* * * * *

It was moved by Alderman Jackson and seconded by Alderman Smith.

RESOLVED: that Section 10, adopted by City Council at its meeting held Tuesday, December 13, 1988, BE DELETED and the following substituted therein:

"10. That APPROVAL be given in part to Zoning Application 88-80, Mr. L. W. Bertrand, Mr. R. Gallagher and Mr. J. Ferguson, owners, for a change in zoning of Block 1 from 'AA' (Agricultural) District to 'R-4' (Small Lot Single-Family Detached) District, for lands located at Nos. 1500, 1514 and 1522 Upper Ottawa Street, as shown on the attached map, on the following basis:

- a) That the lands described as Block 1 be rezoned from 'AA' (Agricultural) District to 'R-4' (Small Lot Single-Family Detached) District;
- b) That the City Solicitor be directed to prepare a By-law to Amend Zoning By-law No. 6593 and Zoning District Map E-49D;
- c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- d) That the Templemead Neighbourhood Plan be amended by redesignating the lands described as Block 1 from 'Attached Housing' and 'Low Density Apartments' to 'Single and Double' residential use.

NOTE: The purpose of this By-law is to provide for a change in zoning of part of the properties located at Nos. 1500, 1514 and 1522 Upper Ottawa Street from 'AA' (Agricultural) District to 'R-4' (Small Lot Single-Family Detached) District.

The effect of the By-law is to permit small lot single-family dwellings.

A decision on the change in zoning from 'AA' (Agricultural) District to 'DE-3' (Multiple Dwellings) District for the lands described as Block 2 will enable the Ward Aldermen to hold a meeting with the area residents and the applicants." - CARRIED.

* * * * *

It was moved by Alderman Jackson and seconded by Alderman Smith.

RESOLVED: that Section 10, as replaced, be adopted. - CARRIED.

* * * * *

It was moved by Alderman McCulloch and seconded by Alderman Smith.

RESOLVED: that Section 14, respecting Zoning Application 88-90 for property at 99 Duke Street and 191 Bay Street South, approved by City Council at its meeting held Tuesday, December 13, 1988, reading as follows:

- "14. (a) That approval be given to Official Plan Amendment No. 69 to introduce a 'SPECIAL POLICY AREA' to permit offices for accountants and lawyers within the existing building, and that the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That approval be given to Zoning Application 88-90, Louis Levy, prospective owner, for a change in zoning from the 'E-3' (High Density Multiple Dwellings) District to 'DE-3' (Multiple Dwellings) District modified, to permit the conversion of the existing multiple dwelling (4 plex) into offices for accountants and lawyers, for lands located at Nos. 99 Duke Street and 191 Bay Street South, as shown on the attached map marked as APPENDIX 'A', on the following basis:
- i) That the subject lands be rezoned from the 'E-3' (High Density Multiple Dwellings) District to the 'DE-3' (Multiple Dwellings) District.

- ii) That the 'DE-3' (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to provide for the following variances as special requirements:
 - 1) That notwithstanding Section 10C.(1) offices for lawyers and accountants shall be permitted within the existing building;
 - 2) That notwithstanding Subsection 4.(c) of TABLE 1 of Section 18A a minimum of 10 parking spaces shall be required.
 - iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1105, and that the subject lands on Zoning District Map W-5 be notated S-1105;
 - iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-5 for presentation to City Council;
 - v) That the proposed change in zoning will be in compliance with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 69 by the Regional Municipality of Hamilton-Wentworth;
 - vi) That the Approved Durand Neighbourhood Plan be amended by redesignating the subject lands from 'HIGH DENSITY APARTMENTS' to 'COMMERCIAL'.
- (c) That Schedule 'B' to By-law No. 79-275, as amended by By-law No. 87-223 respecting Site Plan Control, be amended by adding the subject lands thereto.
 - (d) That the amending By-law and Official Plan Amendment not be passed by Council until the applicant has applied for and received Site Plan Approval.

EXPLANATORY NOTE

The purpose of the By-law is to provide for a change in zoning from the 'E-3' (High Density Multiple Dwellings) District to the 'DE-3' (Multiple Dwellings) District for lands located at Nos. 99 Duke Street and 191 Bay Street South, as shown on the attached map marked as APPENDIX 'A'.

The effect of the By-law is to permit the conversion of the existing multiple dwelling (4 plex) into offices for accountants and lawyers. In addition, a minimum of 10 parking spaces are required."

It was moved by Alderman McCulloch and seconded by Alderman Smith.

RESOLVED: that Section 14 with respect to Zoning Application 88-90 for property at 99 Duke Street and 191 Bay Street South, approved by City Council at its meeting held Tuesday, December 13, 1988, and now being reconsidered, be amended by deleting Sub-section (2) of Sub-Section (ii)(b) of Section 14, reading as follows:

"(2) That notwithstanding Subsection 4.(c) of TABLE 1 of Section 18A a minimum of 10 parking spaces shall be required." - CARRIED.

* * * * *

It was moved by Alderman McCulloch and seconded by Alderman Smith.

RESOLVED: that Section 14, which is now being reconsidered, BE ADOPTED AS AMENDED. - CARRIED.

* * * * *

(H) LICENCING COMMITTEE - FIRST REPORT.

* * * * *

It was moved by Alderman McCulloch and seconded by Alderman Drury.

RESOLVED: that Rule No. 36a(1) (C)1 of Procedural By-law No. 82-203 be suspended for this meeting of City Council in order to permit consideration of the SECOND Report of the Finance Committee. - CARRIED.

* * * * *

(G) FINANCE COMMITTEE - SECOND REPORT.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting Inadvertent Encroachment Agreements at 73 West Avenue North, and 75 West Avenue North, Hamilton. - CARRIED.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: (a) that the application of Mr. Dan V. Worfolk, Solicitor on behalf of the present owner of 73 West Avenue North to retain the inadvertent encroachment consisting of a concrete step measuring 3.00 feet x 0.50 feet, be approved during the pleasure of Council, provided:

- i. That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
- ii. That a first year fee of \$125.00 and subsequent annual fee of \$20.00 be set for this privilege; and
- iii. That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.

(b) That the application of Mr. Dan V. Worfolk, Solicitor on behalf of the present owner of 75 West Avenue North, to retain the inadvertent encroachment consisting of a concrete step measuring 3.10 feet by 5.00 feet be approved during the pleasure of Council, provided:

- i. That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- ii. That a first year fee of \$125.00 and subsequent annual fee of \$20.00 be set for this privilege; and
- iii. That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement. - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Murray. - 15.

NAYS: 0. - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-3,
D-3, D-4, D-5 - CARRIED.

* * * * *

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Gallagher in the chair.

A-3,
D-3, D-4, D-5.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time:

A-3,
D-3, D-4, D-5.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Drury.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution re withdrawing of Federal Funds for public housing. - CARRIED.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Drury.

RESOLVED: that a letter be forwarded to the Federal Minister of Housing strongly disagreeing with the withdrawal of Federal Funding for a public housing project in the City of Hamilton and that copies be forwarded to all area M.P.'s and M.P.P.'s. -

YEAS: Mayor Morrow; Aldermen Kiss, Hinkley, Drury, Copps,
Christopherson, Smith, Jackson, Gallagher. - 9.

NAYS: 0 - CARRIED.

* * * * *

City Council adjourned at 9.30 o'clock, p.m.

* * * * *

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, JANUARY 17, 1989
7:15 O'CLOCK, P.M.

Special meeting of City Council called at the direction of His Worship
Mayor Robert M. Morrow.

PRESENT: Robert M. Morrow, Esq., Mayor.

Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Christopherson,
Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross.

The Clerk read the notice calling the meeting.

It was moved by Alderman Cooke, seconded by Alderman Ross, and carried, that
Council move into Committee of the Whole to consider the following Report,
with Alderman Gallagher in the chair.

(C) PARKS AND RECREATION COMMITTEE - SECOND REPORT.

It was moved by Alderman Cooke and seconded by Alderman Ross.

RESOLVED: that Rule 36a(1), Subsection (c)1, be suspended for this meeting
of City Council. - CARRIED.

It was moved by Alderman Merling and seconded by Alderman Smith.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be suspended for this meeting
of City Council in order to permit consideration of a resolution
dealing with demolition permits. - CARRIED.

It was moved by Alderman Merling and seconded by Alderman Lombardo.

RESOLVED: that the Building Commissioner be authorized to issue demolition
permits for the demolition of the following properties:

- (a) 1411 Upper Sherman Avenue
- (b) 803 King Street West
- (c) 393 Sherman Avenue North

- (d) 141 Walnut Street South
- (e) 872 Upper Wentworth Street
- (f) 2741 King Street East
- (g) 139 Nash Road South
- (h) 141 Nash Road South
- (i) 167 Nash Road South
- (j) 1517 Barton Street East - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Ross.

RESOLVED: that the Report of the Committee of the Whole on the above report, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross - 15.

NAYS: 0 - CARRIED.

It was moved by Alderman Cooke and seconded by Alderman Ross.

RESOLVED: that the following Bill be now read a first time:

C-1 - CARRIED.

It was moved by Alderman Cooke, seconded by Alderman Ross, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bill, with Alderman Gallagher in the chair.

C-1.

Consideration of the Bill (second reading).

It was moved by Alderman Cooke and seconded by Alderman Ross.

RESOLVED: that the following Bill be now read a third time.

C-1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross. - 15.

NAYS: 0 - CARRIED.

City Council adjourned at 7.30 o'clock, p.m.

* * * * *

REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its THIRD Report for 1989 and respectfully recommends:

1. That Mr. Thomas Radigan, nominee of the Hamilton-Wentworth Roman Catholic Separate School Board, be appointed to the Hamilton Public Library Board for the term ending November 30, 1991.
2.
 - (a) That the 1989 Reconstruction Program in the estimated amount of \$8 200 000, attached hereto as Schedule "A", be approved on the understanding that the net cost to the City after application of the Roadway Subsidy will not exceed \$3 500 000 (of the estimated \$5 330 000 City's share), and that this net cost be financed by the 1989 Capital Levy, Account No. CH 54002-22002.
 - (b) That the necessary By-laws be prepared by the City Solicitor and the City Clerk be authorized and directed to advertise these By-laws as required by Section 301 of The Municipal Act, outlining the City's intention to proceed with the altering of the following streets:
 - (i) Caroline Street from York Boulevard to Market Street;
 - (ii) East 16th Street from Brucedale Avenue to Fennell Avenue;
 - (iii) Newlands Avenue from Kenilworth Avenue to Cope Street;
 - (iv) Sunninghill Avenue from East 42nd Street to Upper Gage Avenue.
 - (c) That the Commissioner of Engineering be authorized to undertake these works on behalf of the City of Hamilton once all necessary approvals have been received.

NOTE: The 1989 Reconstruction Program was approved by the Transport and Environment Committee at its meeting on January 23, 1989.

This project is included in the provisional 1989-1993 Capital Budget and is being recommended for approval at this time prior to approval of the 1989 Capital Budget in order that the Regional Engineering Department may proceed with the preliminary work necessary for the calling of tenders as soon as possible.

3. That the City Solicitor be authorized and directed to make application to have the gross cost authority for the extension of Bow Valley Drive to Queenston Road (OMB No. E860858 dated August 29, 1986) increased from \$377 000 to \$445 000 with no change in the debenture authority previously approved.

NOTE: With the adoption of Section 2 of the FIRST Report of the Co-ordinating Committee, City Council at its meeting on December 13, 1988, approved an increase in this project of \$68 000 from \$377 000 to \$445 000. The December resolution did not however authorize an application to the Ontario Municipal Board to increase the gross cost of the project.

4. (a) That the Director of Property be authorized to proceed with the installation of a Galaxy Sun Controller system as manufactured by Levelor Window Treatment Inc., for the skylight above the Aldermen's Secretarial office area at an estimated cost of \$15 000.
- (b) That this cost be financed from the unencumbered balance of funds available (\$18 578) in Account No. 0408-A5-5335-Additions and Alterations (Aldermen's Offices) City Hall.
- (c) That the Manager of Purchasing be authorized and directed to obtain three quotations from contractors qualified to carry out the complete installation.

NOTE: The Galaxy System recommended consists of a switch operated (2 per side) gang controlled motorized blinds/slats covering the entire length of the skylight along the south and north elevations.

This installation will eliminate the problem and complaints of glare and excessive heat caused by solar radiation of sunlight penetrating through the unprotected skylight above the Aldermen's Secretarial office area.

5. (a) That the City of Hamilton purchase a 1/4 page ad in the special issue of the Hamilton and District Stroke Recovery Association's "Facts and Information Booklet-All About Stroke & Recovery" at an estimated cost of \$195.00.

(b) That the cost of this advertisement be financed from Account No. CH 56302-12000, Advertising, City Clerk.

NOTE: The Co-ordinating Committee appreciates that this issue would normally be dealt with by the Legislation Committee, however, this request was received after the meeting of the Legislation Committee and due to time constraints a decision must be made at this time.

6. That subject to appropriate administrative procedures being established, the Members of City Council be authorized to utilize the services of the Youth Employment Centre to secure "FUTURES" participants as a political aid.

NOTE: "FUTURES" is a 100% Provincially funded program which is intended to provide on the job training for participants between the ages of 15 and 24 years.

The placement period varies dependent upon circumstances, however, 16 weeks is generally the time frame, following which it is hoped that the participant will have secured the necessary skills and experience to secure a permanent position.

7. That the Finance Committee be requested to consider the formulation of a resolution for consideration by City Council to petition the appropriate Provincial Minister(s) to review the Unconditional Grants funding for municipalities.

8. That leave be granted to introduce the following Bills:

- (a) Bill A-4 A By-law to Authorize an Additional
Expenditure for the Construction of a New
Public Works Yard at or Near Turner Farm on
Rymal Road East to Serve Districts 3, 4 and 5
and Mount Hamilton Cemetery.
- (b) Bill A-5 A By-law to Authorize the Erection of an 80
Foot Salt Dome at the New B.A. Court Yard
Turner Farm and the Purchase of a TS 150 Terra
Saeen Screening Plant.
- (c) Bill A-6 A By-law to Authorize Construction of a New
Traffic Operations Building.
- (d) Bill A-7 A By-law to Confirm the Proceedings of the
Council of the Corporation of the City of
Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW
CHAIRMAN
CO-ORDINATING COMMITTEE

J. J. Schatz
Secretary
1989 January 26
/bc

CITY OF HAMILTON

1989 RECONSTRUCTION PROGRAM

PREPARED BY

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

ENGINEERING DEPARTMENT

JANUARY 1989

<u>Contents</u>	<u>Page</u>	<u>Estimated Cost</u>
A. Roads & Abutting Sidewalks	1-4	\$6,540,000
B. Sidewalks Only	5-6	1,604,000
C. Alleys	7	56,000
	TOTAL	<u>\$8,200,000</u>
D. Supplementary List (Projects to be done in 1989 if residual funds are available)	8-10	\$3,414,000

A. ROADS & ABUTTING SIDEWALKS

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
Beacon Ave.	Brentwood	Kingslea	295m	8.5m	8.5m	\$224,000	- road reconstruction - sidewalk reconstruction and - repair - both sides
Brentwood Dr.	Idlewood	Beacon	810m	8.5m	8.5m	\$609,000	- road reconstruction - sidewalk reconstruction and - repair - both sides
Caroline St.	Bold	Herkimer	437m	8.5m	8.5m	\$326,000	- road reconstruction - sidewalk reconstruction and - repair - both sides - in conjunction with storm sewers
Caroline St.	York	Market	163m	6.7m	9.0m	\$129,000	- road reconstruction and widening to 9.0m - sidewalk reconstruction - both sides - in conjunction with storm sewers
Clinton St.	Sherman	Lottridge	392m	7.7m	7.7m	\$283,000	- road reconstruction - sidewalk reconstruction and - repair - both sides - in conjunction with storm sewers
East 13th St.	Callie	South Bend	176m	8.6m	8.6m	\$120,000	- road reconstruction - sidewalk reconstruction and - repair - both sides - in conjunction with storm sewers

Schedule "A" referred to in Section
2 of the THIRD Report of the Co-
ordinating Committee for 1989.

A. ROADS & ABUTTING SIDEWALKS (CONT'D.)

PAGE 2

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
East 15th St.	Callie	Howe	186m	8.5m	8.5m	\$120,000	- road reconstruction - sidewalk reconstruction and repair - both sides - in conjunction with storm sewers
East 27th St.	Fennell	Burkholder	680m	8.5m	8.5m	\$533,000	- road reconstruction - sidewalk reconstruction - both sides
Empress Ave.	U. James	East 6th	400m	9.3m	9.3m	\$292,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Frid St.	Chatham	North End	511m	9.1m	9.1m	\$450,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Houghton Ave.	King	Lawrence	100m	8.5m	8.5m	\$ 94,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Idlewood Ave.	Brentwood	Kingslea	320m	8.5m	8.5m	\$250,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Kensington Ave.	Barton	Cannon	430m	8.4m	8.4m	\$224,000	- road reconstruction - sidewalk repair - both sides

Schedule "A" referred to in Section 2 of the THIRD Report of the Coordinating Committee for 1989.

A. ROADS & ABUTTING SIDEWALKS (CONT'D.)

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Kensington Ave. King		Montclair	450m	7.3m	7.3m	\$228,000	- road reconstruction - sidewalk repair - both sides - 1988 carry over
Kingslea Dr.	Idlewood	Beacon	816m	8.5m	8.5m	\$657,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Macassa Ave.	U. Sherman	U. Gage	760m	8.5m	8.5m	\$583,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Mapleside Ave.	Aberdeen	Glenfern	250m	7.4m	7.4m	\$122,000	- road reconstruction - sidewalk reconstruction and repair - both sides - 1988 carry over
Paling Ct.	Dunsmure	South End	160m	8.5m	8.5m	\$123,000	- road and curb reconstruction
Park Row S.	King	Lawrence	350m	9.1m	9.1m	\$427,000	- road reconstruction - sidewalk reconstruction - both sides
Spruceside Ave.	Aberdeen	Glenfern	240m	7.3m	7.3m	\$105,000	- road reconstruction - sidewalk repair - both sides - 1988 carry over

Schedule "A" referred to in Section 2 of the THIRD Report of the Coordinating Committee for 1989.

A. ROADS & ABUTTING SIDEWALKS (CONT'D.)

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Steven St.	King	Cannon	417m	7.3m	7.3m	\$274,000	- road reconstruction - sidewalk reconstruction - both sides - in conjunction with storm sewers
Viceroy Ct.	Callie	South Bend	175m	8.5m	8.5m	\$118,000	- road reconstruction - sidewalk reconstruction and repair - both sides - in conjunction with storm sewers
Wexford Ave.	Roxborough	Main	350m	7.4m	7.4m	\$249,000	- road reconstruction - sidewalk reconstruction and repair - both sides

B. SIDEWALKS ONLY

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Side</u>	<u>Estimated Cost</u>	<u>Remarks</u>
Brock St.	Mary	John	175m	South	\$ 31,000	- sidewalk reconstruction
Glen Rd.	Macklin	Tope	200m	South	\$ 37,000	- sidewalk reconstruction
Glen Road	Macklin	60m easterly	60m	North	\$ 12,000	- sidewalk reconstruction
Hunter St.	Locke	Richmond	280m	Both	\$ 64,000	- sidewalk reconstruction and repair
King St.	Walnut	Main (Delta)	4,185m	Both	\$700,000	- sidewalk reconstruction - in conjunction with Region's road reconstruction
Linden St.	Cavell	Lincoln	160m	South	\$ 32,000	- sidewalk reconstruction
Main St.	West City Limits	Whitney	650m	Both	\$ 90,000	- sidewalk reconstruction and repair - both sides - in conjunction with Region's road reconstruction

Schedule "A" referred to in Section
2 of the THIRD Report of the Co-
ordinating Committee for 1989.

B. SIDEWALKS ONLY (CONT'D.)

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Side</u>	<u>Estimated Cost</u>	<u>Remarks</u>
Main St.	Macklin	James	2358m	Both	\$357,000	- sidewalk reconstruction - in conjunction with Region's road reconstruction
Ninth Ave.	U. Gage	U. Ottawa	1625m	Both	\$281,000	- sidewalk reconstruction and repair

C. ALLEYS

<u>Streets Between</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Estimated Cost</u>	<u>Remarks</u>
Sanford and Arthur	King	Aikman	240m	\$ 56,000	- reconstruct

D. SUPPLEMENTARY LIST
ROADS AND ABUTTING SIDEWALKS

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Millen Ave.	Empress	Brucedale	128m	7.4m	7.4m	\$ 92,000	- road reconstruction - sidewalk reconstruction - both sides
East 5th St.	Empress	Brucedale	130m	7.7m	7.7m	\$ 94,000	- road reconstruction - sidewalk reconstruction - both sides
East 6th St.	Empress	Brucedale	130m	6.7m	6.7m	\$ 83,000	- road reconstruction - sidewalk reconstruction
Arcade Cres.	Inverness	South End	180m	9.3m	9.3m	\$128,000	- road reconstruction - sidewalk and curb reconstruction
Gateview Dr.	West 5th	Arcade	135m	9.2m	9.2m	\$104,000	- road reconstruction - sidewalk and curb reconstruction
Newlands Ave.	Kenilworth Cope		330m	7.3m	8.5m	\$290,000	- road reconstruction and widening to 8.5m, 0.6 each side - sidewalk reconstruction - both sides
Thorndale St.	Main	Glenmount	162m	7.5m	7.5m	\$120,000	- road reconstruction - sidewalk reconstruction and repair - both sides

Schedule "A" referred to in Section 2 of the THIRD Report of the Coordinating Committee for 1989.

D. SUPPLEMENTARY LIST (CONT'D.)
ROADS AND ABUTTING SIDEWALKS

PAGE 9

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Norfolk St.	Sanders	Glenmount	420m	7.4m	7.4m	\$281,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Kingsmount St.	Sanders	Glenmount	350m	7.4m	7.4m	\$229,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Hollywood St.	Sanders	Glenmount	380m	7.4m	7.4m	\$160,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Glenmount Ave.	Kingsmount	Leland	307m	7.5m	7.5m	\$230,000	- road reconstruction - sidewalk reconstruction and repair - both sides
East 16th St.	Bruce Dale	Fennell	220m	7.4m	8.5m	\$159,000	- road reconstruction and widening, 0.55m each side - sidewalk reconstruction - both sides
East 18th St.	Fennell	Vickers	410m	8.5m	8.5m	\$291,000	- road reconstruction - sidewalk reconstruction and repair - both sides

Schedule "A" referred to in Section 2 of the THIRD Report of the Coordinating Committee for 1989.

D. SUPPLEMENTARY LIST (CONT'D.)
ROADS AND ABUTTING SIDEWALKS

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
Franklin Rd.	U. Sherman	420m westerly	420m	8.5m	8.5m	\$314,000	- road reconstruction - sidewalk reconstruction - both sides
Holly Ave.	Beach	McAnulty	195m	7.3m	8.5m	\$152,000	- road reconstruction; widening to 8.5m - 1.2m east side only
Sunninghill Ave.	U. Gage	U. Ottawa	830m	8.5m	8.5m	\$687,000	- road reconstruction and realign- ment at East 41st Street - sidewalk reconstruction and repair - both sides

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its SECOND Report for 1989 and respectfully recommends:

1. That purchase orders be issued for Annual Supplies for the Public Works Department as and when required during 1989, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

CHEMICALS

General Chemicals, Mississauga

1. Flake Calcium Chloride - \$0.3210/kg
 2. Liquid Calcium Chloride - \$0.120/litre, minimum 13,500 litres
\$0.141/litre, minimum 8,000 litres
- Split loads additional \$62.40/drop off
Pallet deposit \$20.00/ea.

NOTE: 1. Lowest of four (4) tenders received
2. Lowest of two (2) tenders received

CONCRETE

Delta Ready Mix Limited, Hamilton

Supplied and delivered in supplier's trucks within City/Regional Limits
Sidewalk/Curb/Concrete - \$99.00/m³
2% Calcium Chloride - \$2.00/m³

Picked up by City/Regional trucks at supplier's plant
Heat November 1 - April 15 - \$6.50/m³
Sidewalk/Curb/Concrete - \$89.00/m³

Cost for multiple dropoff load \$60 after 1st hour

Dufferin Concrete Products, Hamilton

Unshrinkable fill - Delivered and Picked up - \$54.95/m³

After 5:00 p.m. and before 9:00 p.m. add \$ 8.00/m³
After 9:00 p.m. and before 7:30 a.m. add \$16.00/m³
Underload charges 1 m³ - \$120.00
2 m³ - \$ 80.00
3 m³ - \$ 50.00
4 m³ - \$ 30.00

AGGREGATES

Lakeview Sand & Gravel, Paris

1. Granular 'A' and 19mm Crusher Run - \$7.07 metric tonne

Taro Aggregates, Hamilton

2. 19mm Blend and Clear - \$8.78 metric tonne

Steetley Lime & Aggregates, Dundas

3. 19mm Blend and Clear - \$9.75 metric tonne
4. 9.5mm and 6.4mm Chips Washed - \$11.80 metric tonne

National Slag Ltd., Hamilton

5. Granular 'A' Slag - \$9.93 metric tonne
- 19mm Crusher Run Slag - \$10.49 metric tonne
- 19mm Slag - 10.93 metric tonne

- NOTE:
1. Lowest of six (6) tenders received
 2. Lowest of four (4) tenders received
 3. Second lowest of four (4) tender received. To be used when location of contractor's plant is closer to job site.
 4. Lowest of two (2) tenders received
 5. Only tender received

ASPHALT

Loaded on City Trucks at Contractor's Plant - Supplier will be chosen on the basis of low bidder first then location of Contractor's plant to job site. Price per tonne April 15 to December 31, 1989

Taro Aggregates, Hamilton

- Sand Sheet Asphalt Surface Course - \$43.25
- Stone Filled Sheet Asphalt Surface Course HM3 - \$42.15
- Stone Filled Sheet Asphalt Surface Course HM3 Fine - \$45.25
- Asphalt Binder Course HM5 - \$37.10
- Liquid Asphalt Cement - \$1.25 litre
- Pricing based on liquid asphalt being \$188/tonne. Adjustments will be made to reflect adjustments to this base price.

Red-D-Mix Concrete, Hamilton

- Sand Sheet Asphalt Surface Course - \$47.50 East & West Plants Apr. 15-
Dec. 31 \$57.50 Mar. 1-Apr. 15
- Steel Slag Asphalt - \$45.50 Apr. 15-Dec. 31
\$53.85 Mar. 1-Apr. 15
- Stone Filled Sheet Asphalt Surface Course HM3 - \$45.65 East & West Plants
\$49.60 Nebo Road Plant
Apr. 15- Dec.31 \$59.00
Mar. 1-Apr. 15

Stone Filled Sheet Asphalt Surface Course HM3 Fine - \$47.65 East & West
Plants" \$41.60 Nebo
Road Plant \$60.25
Mar. 1-Apr. 15

Asphalt Binder Course HM5 - \$38.75 East & West Plants
\$35.15 Nebo Road Plant Apr. 15-Dec. 31
\$50.85 Mar. 1-Apr. 15

Liquid Asphalt Cement - \$1.05 litre Apr. 15-Dec. 31
\$1.10 litre Mar. 1-Apr. 15

Cayuga Materials, Cayuga

Sand Sheet Asphalt Surface Course - \$48.38
Stone Filled Sheet Asphalt Surface Course HM3 - \$39.75
Stone Filled Sheet Asphalt Surface Course HM3 Fine - \$44.95
Asphalt Binder Course HM5 - \$35.25
FOB Contractor's Plants

Norjohn Limited, Thorold

MTC Primer in tank trucks, delivered - \$0.3363
Cationic Asphalt Emulsions CRS1 & 2 delivered - \$0.2804
CRS2 picked up - \$0.2660

Hydrotech Membrane Corp., Richmond Hill

Crack Sealing Material - \$787.93 per tonne

2. That a purchase order be issued to Canadian Corps of Commissionaires (Hamilton), Hamilton for parking enforcement services for 1989, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

Hourly Rate

Sergeant	\$9.72
Corporal	9.23
Commissionaire	8.82

NOTE: This represents a 4% increase over 1988 rates. Funds provided in Traffic By-Law Enforcement, Contractual Account #0345-0319.

3. That the City exercise its option to extend the existing agreements with various companies as listed in the following reports, for the rental of snow removal equipment and labour:

Section 2 & 3 of the 10th report of the T & E Committee
and approved by Council on June 28, 1988 and

Section 2 of the 13th report of the T & E Committee
and approved by Council on September 27, 1988

NOTE: All tenders are being accepted on the basis of the lowest bidder's equipment being used first and then the subsequent bidders are contacted as required.

4. (a) That Golder Associates (Mississauga) be retained to undertake the geotechnical investigation on the site on Upper Ottawa Street north of Stone Church Road, at an initial cost of \$11 375; and
- (b) That additional investigations, as may be recommended by the soils consultant, be authorized with the total study cost not to exceed \$30 000.

NOTE: Lowest acceptable quotation of three proposals received. Funds are provided in Account No. 0280-27, Reserve fro Capital Projects.

5. (a) That no action be taken to develop the former Hill Street Public Works Yard for residential housing in view of the presence of methane gas.
 - (b) That the former Hill Street Public Works Yard Property be designated as parkland and placed under the jurisdiction of the Parks Division of the Public Works Department in accordance with the recommendation of the Hydrology Consultants "Gore & Storrie Limited", who were retained by the City to give expert technical advice.
 - (c) That the Parks and Recreation Committee be requested to consider the former Hill Street Public Works Yard as a priority for Park development in 1989.
6. (a) That the City of Hamilton discontinue supplying potable water to rural areas; and
 - (b) That the residents be notified 1 month in advance of the discontinuance of water deliveries.

- NOTE:
- i. the delivery of water costs the City of Hamilton approximately \$25 280 to service approximately 18 residences
 - ii. not all of the revenue from the delivery of the potable water is readily forthcoming from these residents
 - iii. other local area municipalities do not get involved with the delivery of potable water to rural residences

7. (a) That the message "Don't Be Slow.....Clear Your Snow" be added to the annual City of Hamilton property tax notices, to improve the notification that homeowners in the City of Hamilton are required to clear the snow from the sidewalks adjacent to their property.
- (b) That all charges are to be listed on the property taxes in the spring immediately following the winter season, to assist in notifying property owners when charges have been assessed to their properties.

NOTE: Previously, the practice was to accumulate all charges during the calendar year and assess the charges to the property taxes in the subsequent year. Accordingly, an entire 12 months or more could elapse prior to the charge being assessed to the taxes.

Staff has been directed to come back to the Transport and Environment Committee with a recommendation on an improved procedure for notifying homeowners that failure to remove snow from the sidewalks before the work is done by the City and charges assessed to their properties.

8. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and 568434 Ontario Inc. for the collection of garbage at 1255 Upper Gage Avenue, Hamilton.

NOTE: This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. This City's Garbage By-law No. 66-182 provides for such collection.

9. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and Victoria Park Community Homes Inc. for the collection of garbage at 525 Stone Church Road East.

NOTE: This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. This City's Garbage By-law No. 66-182 provides for such collection.

10. (a) That three-way stop control be implemented at the intersection of Kingswood Drive and Glen Vista Drive; and
- (b) That a three-way stop control be implemented at the intersection of Willowcrest Avenue and Bowman Street; and

- (c) That a stop sign be erected to control westbound traffic on Federal Street at Berkindale Drive; and
 - (d) That westbound traffic on Ruby Street be required to stop for northbound and southbound traffic on Rushdale Drive; and
 - (e) That three-way stop control be implemented at the intersection of Green Cedar Drive and Guildwood Drive; and
 - (f) That a yield sign be erected to require that westbound traffic on MacKenzie Road yield to traffic on East 27th Street; and
 - (g) That a stop sign be erected on Huron Street at Stirton Street such that the intersection is controlled by a three-way stop; and
 - (h) That City Traffic By-law 66-100 be amended accordingly.
11. (a) That Council correspond with the Minister of Transportation making reference to the resolution of 1986 and requesting that action be taken to revise the Highway Traffic Act to require that cyclists be required to identify themselves to police officers, for the enforcement purposes; and
- (b) That the Regional Police Department be requested to increase enforcement at the stop signs on Sterling Street at Forsyth Avenue, Dalewood Avenue and Haddon Avenue; and
- (c) That a copy of the staff report respecting this item be forwarded to Dr. A. E. Lee, President and Vice-Chancellor of McMaster University.
12. (a) That a "Thirty Minute Parking Time Limit" regulation to be in effect 24 hours a day, 7 days a week, be implemented on the west side of Aurora Street commencing at a point 59 feet north of Charlton Avenue and extending to a point 20 feet northerly therefrom; and
- (b) That a "No Parking" regulation be implemented on the south side of Tivoli Drive, between San Remo Drive and the westerly end; and
- (c) That a parking prohibition be implemented on the south side of Heather Road between Woodman Drive and Sunrise Drive; and
- (d) That stopping be prohibited on the south side of Berko Avenue commencing at a point 26 feet west of the west curb line of Baroque Street and extending to a point 82 feet east of the east curb line of Baroque Street; and

- (e) That a "Three Hour Parking Time Limit" regulation to be in effect 24 hours a day, seven days a week be implemented on the east side of Ray Street South between Canada Street and Jackson Street West; and
 - (f) That a "One Hour Parking Time Limit" regulation to be in effect 24 hours a day, seven days a week be implemented on both sides of Devonport Street between Tom Street and York Boulevard; and
 - (g) That a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on both sides of Tom Street between Strathcona Avenue and Dundurn Street; and
 - (h) That, in combination with the existing Alternate Side Parking regulation, a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday, to Saturday" regulation be implemented on both sides of West Avenue North between Robert Street and Cannon Street; and
 - (i) That, in combination with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit" regulation to be in effect 24 hours a day seven days a week, be implemented on Emerald Street North between Wilson Street and King William Street; and
 - (j) That the existing "No Stopping Anytime" regulation be changed to a "No Stopping 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Homewood Avenue along the flankage of Earl-Kitchener Public School; and
 - (k) That a parking prohibition be implemented on the south side of Franklin Avenue between the east curb line of the south leg of Parkview Drive and a point 106 feet easterly therefrom; and
 - (l) That a parking prohibition be implemented on the east side of south leg of Parkview Drive between Franklin Avenue and a point 56 feet southerly therefrom; and
 - (m) That unrestricted free parking be restored to the north side of Franklin Avenue between the west curb line of the north leg of Parkview Drive and a point 70 feet westerly therefrom; and
 - (n) That City Traffic By-law 66-100 be amended accordingly.
13. (a) That stopping be prohibited on the north side of Limeridge Court between Bonaventure Drive and a point 36 feet westerly therefrom; and
- (b) That the existing stopping prohibition on the south side of Aikman Avenue South between Wentworth Street South and a point 30 feet easterly therefrom be extended, such that the prohibition extends to a point 56 feet east of Wentworth Street South; and

- (c) That stopping be prohibited on the north side of Brucedale Avenue East between Millen Avenue and a point 52 feet easterly therefrom; and
 - (d) That City Traffic By-law 66-100 be amended accordingly.
14. That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first six applicants residing in the apartment building at No. 3 Sterling Street.
15. (a) That a "Permit Parking" regulation be implemented on the east side of Province Street North, commencing at a point 62 feet north of Cannon Street and extending to a point 20 feet northerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. John Lavenuik, 180 Province Street North; and
- (c) That City Traffic By-law 66-100 be amended accordingly.
16. (a) That a School Traffic Officer be assigned to the intersection of Sherman Avenue South and Cumberland Avenue during the morning and evening crossing periods only.

NOTE: Sufficient funds have been provided in the 1989 budget estimates to cover the costs of assigning a traffic officer to this location for the remainder of 1989.

- (b) That a School Traffic Officer not be assigned to the intersection of Greenhill Avenue and Hildegard Drive.

NOTE: ITEM 16 (b) LOST ON A TIE VOTE AT THE TRANSPORT AND ENVIRONMENT COMMITTEE AND IN ACCORDANCE WITH POLICY IS BEING FORWARDED TO CITY COUNCIL.

17. (a) That approval be given for the 1989 Street Lighting Capital Program in the amount of \$271 000 as proposed by Hamilton Hydro; and
- (b) That Hamilton Hydro be instructed to proceed with the system modifications.

NOTE: Items approved as part of the 1989 Capital Program are included in the City's 1989 Current Budget - Electrical, Streetlighting, Account No. 0352-1019.

18. (a) That the following changes be made in the charges per tonne of overload:

PER METRIC TONNE

<u>Type of Vehicle</u>	<u>Current Charge</u>	<u>Proposed Charge</u>	<u>% Increase</u>
Tractor Trailer	\$ 99	\$116	17
Single Unit Truck	\$165	\$193	17

- (b) That the annual overload permit fees be reviewed each year.

19. (a) That in accordance with By-law 66-100, that K's Transport Inc. be given an Annual Overload Permit for the year 1989 for ten (10) tractor-trailers for a total fee of \$11 948; and
- (b) That 11%, or \$1 314.28, be credited to City Account No. 0310-0121 (Overload Permit Fees), and that 89%, or \$10 633.72, be credited to Regional Account No. 0308-7610.
20. (a) That the City Solicitor be directed to prepare a By-law for the stopping up, closing and sale of the easterly portion of the road allowance of Holland Avenue at the rear of 560 to 596 Stone Church Road East.
- (b) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1989;
- (c) That the Director of Property be directed to proceed with the disposition of the said lands to the abutting owners;
- (d) That the applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed street is to be distributed to the abutting owner(s), and that the applicant deposit a reproducible copy of the said plan with the Regional Surveyor:
- i. That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act; and
 - ii. That the City Solicitor make application to the Ministry of Housing under Section 443 (8) of the Municipal Act for approval of the By-law.

21. (a) That the Art Gallery of Hamilton be permitted to display a promotional banner across Main Street West in front of City Hall, from, Monday, September 4, 1989 to Monday, September 11, 1989, with the following message:

"ART GALLERY OF HAMILTON
1914-1989
THREE QUARTERS OF A CENTURY"

- (b) That the "Mardi Gras Festival of Hamilton Wentworth Inc." be permitted to display a promotional banner across Main Street West, in front of City Hall, from January 29, 1990 to February 4, 1990, and from February 19, 1990 to February 25, 1990 subject to the policy guidelines and conditions approved by Council on October 29, 1988, September 30, 1988 and January 13, 1987, with the following message:

VISIT HAMILTON THE MARDI GRAS CAPITAL OF CANADA
JOIN OUR FESTIVITIES

22. (a) That the request of David V. Ferguson, Solicitor, on behalf of Mary Henderson, to discharge the agreement covering a footpath in the vicinity of Highridge Avenue and Donn Avenue, Instrument No. 314971 C.D., registered June 3, 1985, be approved, subject to the satisfaction of the City Solicitor; and
- (b) That the City Solicitor be authorized and directed to prepare and register the documents in relation to the discharge and that the appropriate civic officials be authorized to execute these documents.
23. (a) That the request of Mr. S. Hammond, owner, to discharge the encroachment agreement which permitted Boulevard Parking for 444 Main Street West, Instrument No. 387667 C.D., date of registration November 19, 1986, be approved, subject to the satisfaction of the City Solicitor.
- (b) That the appropriate civic officials be authorized to execute the documents in relation to this discharge.
24. (a) That the applicant's request for a discharge of the Encroachment agreement at 132-140 Wellington Street for an encroachment of a building on the road allowance, registered as Instrument No. 308458 C.D. on March 26, 1985 be approved provided that the discharge is prepared to the satisfaction of the City Solicitor;
- (b) That the appropriate City signing officials be authorized to execute the documents in relation to the discharge.

25. That the application of Mr. Dennis R. Roy, Solicitor on behalf of the present owner of 178 Baron Avenue North, to retain the inadvertent encroachment consisting of a 1 story building encroaching on Baron Avenue by 0.061m x 4.29m and encroaching on Britannia Avenue 19.43m x 0.165m be approved during the pleasure of Council, provided:

- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
- (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege; and
- (c) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.

26. That the application of Mr. Norman Watson, Solicitor on behalf of the present owner of 34 Francis Street, to retain the inadvertent encroachment consisting of a concrete stoop measuring 1.18m x 0.43m be approved during the pleasure of Council, provided:

- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
- (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege; and
- (c) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.

27. (a) That the following changes be made in the maximum Local Improvement Charges per metre of frontage; for the construction of roads, curbs, sidewalks and alleys:

Item	Maximum Charge per Metre of Frontage	
	From	To
i.. Curb Only	\$ 59.00	\$ 64.00
ii. Sidewalks Only (no change)	\$ 80.00	\$ 80.00
iii. Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	\$128.00	\$131.00
iv.. Roadway Only	\$220.00	\$221.00
v. Alleys	\$ 70.00	\$ 86.00
vi. Roadway and Curbs Only (Industrial Subdivisions)	\$277.00	\$300.00

- (b) That the City Solicitor be authorized and directed to amend the Local Improvement By-law.
- 28. That the City Solicitor be authorized and directed to prepare a By-law to incorporate Parts 1, 3, 4, 5, and 6 Plan 62R-9966 into Greenhill Avenue.
- 29. (a) That the City's Share of the cost of curbs, sidewalks and final roads, as adopted by City Council on July 20, 1987 as Item 19 of the Eleventh Report of the Transport and Environment Committee for "Strawberry Hill Addition", be increased by \$2 377 to \$47 662; and
(b) That the Co-ordinating Committee recommend the source of funding for these additional costs.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE CITY'S SHARE OF ADDITIONAL COST OF SERVICES TO BE INSTALLED IN THE STRAWBERRY HILL ADDITION BE FINANCED FROM THE "RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS", ACCOUNT NO. RF 59003-25207.

- 30. (a) That the submitted schedules for the estimated cost of services in "Templemead No. 3 Survey", Hamilton, as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement with the owner;
(b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement between the City of Hamilton and the owner, First Pioneer Investments Limited;
(c) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered;
(d) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he be permitted to do so at his own risk, providing, that he enters into a Standard Agreement for Pre-Servicing; and
(e) That the City Solicitor be authorized and directed to prepare a By-law to incorporate the 0.3m Reserve, Block 158 on a plan of subdivision known as "Templemead No. 1 Survey - Phase 2", into the Templemead Drive road allowance. The said By-law for this parcel of land is to be registered following the registration of the plan of subdivision for "Templemead No. 3 Survey", Hamilton.

31. (a) That the submitted schedules for the estimated cost of services in "Eaglewood Manor", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement. These lands are located north of Rymal Road and West of Upper Gage. The total estimated cost of services for this development is \$241 103.17;
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and Subdivision Agreement have been registered;
- (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan, he be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing;
- (d) That the City's share of the cost of services for the development (\$42 454) be approved, and that the Co-ordinating Committee recommend the source of funding for this project;

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE CITY'S SHARE OF COST OF SERVICES IN THE GROSS AMOUNT OF \$42 454 BE FINANCED FROM THE "RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS", ACCOUNT NO. RF 59003-25207.

- (e) That the City Solicitor be authorized and directed to prepare the appropriate By-law to incorporate the Block "45", Plan 62M-472 (0.3 metre Reserve), and Parts 1, 2, 3, and 4, Plan 62R-9574, into the Eaglewood Drive road allowance, in conjunction with the registration of the plan of subdivision.
- (f) That the City Subdivision Agreement include the necessary provisions which would require the Developer to establish Maintenance Easements in all locations as required by the Zoning By-law and Council policy.
32. (a) That Items 3 and 22 of the 4th Report of The Transport and Environment Committee approved by Council on February 23, 1988, to close and sell Old Nash Road between Brampton Street and Nash Road, be rescinded.
- (b) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing and retaining of Old Nash Road between Brampton Street and Nash Road being Part 2 on Plan 62R-9679.
- (c) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980, of City Council's intention to pass the By-law.

- (d) That the original applicants for closure, Joseph-Tittarelli and Gino Tittarelli be refunded their deposit for the purchase being \$2 600.
 - (e) That Joseph Tittarelli and Gino Tittarelli be refunded their closure application fee of \$208 and all reasonable survey and legal costs incurred by them with respect to the closure application.
 - (f) That the Finance Committee recommend the method of financing these costs.
33. (a) That a School Traffic Officer be assigned to the signalized intersection of King Street West and Strathcona Avenue for a six month trial period.
- (b) That the Finance Committee be requested to recommend the method of financing an amount of \$3 442 to cover the cost.
34. That snow removal charges assessed against St. Michael's Church, 1188 Fennell Avenue East, in the amount of \$1 386, be waived.
35. (a) B-24 By-law to authorize additional expenditures for the construction of local improvements of concrete alleys on: 1) First south of Bristol Street from Sanford Avenue to Minto Avenue; 2) First north of Primrose Avenue from Gage Avenue to Avondale Avenue; and 3) in the block bounded by Cedar Street, Afton Avenue, Prospect Street and Cumberland Avenue.
- (b) B-25 By-law to incorporate Part 3, Plan 62R-9295 into Upper Horning Road.
- (c) B-26 By-law to incorporate Block 72, Plan 62M-577 into Bonaparte Way.
- (d) B-27 By-law to Amend By-law 66-100 to Regulate Traffic.
- (e) B-28 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1989 January 23

/lp

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its THIRD Report for 1989 and respectfully recommends:

1. (a) That a contract be awarded to Martin Weaver, Conservation Consultant Incorporated, for the purpose of carrying out a detailed inspection report to determine the nature and extent of conservation required on:
 - i) the Gartshore Engines and related machinery
 - ii) the condition of the structure and fabric of the Engine House and Woodshed.
- (b) That the Terms of Reference for this study require that the consultant must review the reports received to date from The Ontario Heritage Foundation, the Canadian Conservation Institute, Public Works for Environment Canada, and other Engineering Reports submitted to the Manager of Heritage Services and to contact same for further updates or details as required.
- (c) That these conservation requirements be prioritized and provided with estimate costs relative to carrying out the various stages of the proposed work.
- (d) That the cost of the study not exceed \$7,000.

NOTE: Funds are available in the 1988 Museum of Steam and Technology Account No. 0369-0756.

2. For the information of Council, the Parks and Recreation Committee agreed:

- (a) That a Steam Museum of Technology Ad Hoc Committee be immediately put in place with the following terms of reference:
 - i. to study the future of this Museum particularly to get it back in operation by working with the appropriate representatives of the Federal and Provincial agencies concerned;
 - ii. to perform a review of its staffing and operational mandates;
 - iii. to determine the role of the community and other matters as seen relevant by this committee.

- (b) That the Committee consist of the Parks and Recreation Committee member(s) who sit on the Historical Board; the Mayor; the C.A.O.; the Director of Culture and Recreation; the Manager of Historic Services; the Director of Public Works; and the Regional Commissioner of Engineering and the Chairman of Parks and Recreation as an ex officio member.

NOTE: This Committee is to report back within 90 days to the Parks and Recreation Committee with a proposed operational program and all other matters to ensure its reopening on a historically professional basis as soon as possible and not later than the May 22nd Victoria Day holiday.

In the interim all matters relating to the Steam & Technology Museum should be addressed to this Ad Hoc Committee rather than to the Hamilton Historical Board.

3. That a purchase order be issued to Standard Paving Company, Hamilton, in the amount of \$49 826.10 to install Parking Lots at Mahoney and Scenic Parks, in accordance with Vendor's tender.

NOTE: Lowest of several tenders received for Contract RHW-88-18. Funds provided in Work Done For Others Account No. 0364-9819.

4. (a) That Mr. Igor Barta, Architect, be retained for a maximum contract price of \$28 000 for full Architectural and Engineering Services for a new Public Works Utility Building, in accordance with the Project Brief issued by the Manager of Purchasing and Vendor's tender.

(b) That a contract be entered into satisfactory to the City Solicitor.

NOTE: Lowest of three (3) tenders received. Funds provided in Mohawk Sports Park Utility Building Account No. CF5450628754001, Consultant Fees.

5. That a purchase order be issued to Parsons Unit Step, Hamilton, for the supply and installation of Grave Crypts, Hamilton Municipal Cemeteries for a three (3) year period 1989, 1990, 1991 in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

Regular - \$229

Youth - 220

Oversize - 250

All taxes and charges, with the exception of lid installation and grave dressing, included.

NOTE: Lowest of two (2) tenders received. Funds provided in Crypts Suspense Account No. CH24011-00001.

6.
 - (a) That the Parks and Recreation Committee approve the purchasing of Landscape Architectural Services for the purpose of developing a design concept proposal for the T. B. McQueston Park, which will include research, public meetings, landscape design, drawings, and liaison with community groups.
 - (b) That the services of Mrs. Jo-Anne McDermott, Landscape Designer - be purchased on a part-time basis; eight hours per day, three days per week, not to exceed 40 weeks at a cost of \$18 per hour at a total cost of \$17 280.
 - (c) That the cost of these services be charged to account number CF 5450 628854004 (T. B. McQueston Development - Study and Related Work).

7.
 - (a) That 9 trailblazer signs for directing motorists to the Mohawk Sports Park/Bernie Arbour Stadium be erected at the following locations.
 - i. Mohawk Road east of Highway 403
 - ii. South/East corner of Mohawk Road and Upper James Street
 - iii. South/East corner of Mohawk Road and Upper Gage Avenue
 - iv./v. South side of Mohawk Road between Upper Kenilworth Avenue and the parking lot entrance
 - vi. North side of Mohawk Road between Mountain Brow Boulevard and the parking lot entrance
 - vii. North/West corner of Highway #20 and Mud Street
 - viii. Mountain Brow Boulevard at Albion Falls
 - ix. Mountain Brow Boulevard near Mohawk Road
 - (b) That the cost of supply and erecting these signs in the amount of \$1 100, be charged to Account No. CH 56398-62118 (Mohawk Sports Park Budget).
 - (c) That permission to erect these trailblazer signs on the Regional Roads be requested of the Region's Engineering Services Committee.

8. That an Option to Purchase the property to the rear of 1321 Upper Wellington Street duly executed by Barry Albert Sheets and Linda Margaret Sheets on November 25, 1988 and scheduled for closing on or before March 30, 1989 be approved and completed.

NOTE: The subject property is required in connection with the future park proposal for the Crerar Neighbourhood and has a width of 20.11 metres (66 ft) and a depth of 113.38 metres (372 feet) comprising an approximate area of 2,208.08 square metres (24.552 square feet), together with a temporary 3.04 metre (10 feet) wide easement running along the southerly limits of 1321 Upper Wellington Street (300 feet) from the easterly limit of Upper Wellington to the subject property.

The easement is to be temporary until such time as ingress and egress to the subject property is available by way of a public road.

The purchase price of \$43 000 is to be charged to Account No. RF 53000 25301 - Reserve for Parkland Acquisition.

9. (a) That a short, medium and long term Needs Assessment and Feasibility Study to determine adequate recreational services for senior citizens, be undertaken by an independent consultant.
- (b) That the Terms of Reference for this Study be developed by a Steering Committee comprised of: 2 members of the Parks and Recreation Committee, 3 members of staff (2 from the Department of Culture and Recreation, 1 from Planning Department), 3 members of the Hamilton Seniors Council, 3 Members of the Parks and Recreation Citizens Advisory Committee, and 1 representative of the Ministry of Tourism and Recreation/Ministry of Community and Special Services.
- (c) That the Terms of Reference be submitted to the Parks and Recreation Committee for approval, and take into consideration, among other factors:
 - i. The recommendation adopted by City Council to determine the best mountain location for the construction of a new seniors centre.
 - ii. The existing facilities and services, existing and expanding seniors population, and the need for integrated as well as segregated services.
- (d) That upon completion of approved Terms of Reference, staff be authorized to make application to the Ministry of Tourism and Recreation for a Community Recreation Planning Grant to off-set up to 50% of the costs of the Study.

- (e) That the Co-ordinating Committee be requested to recommend the method of financing for this Study, taking into consideration, those funds which may be available from the Reserve for the Acquisition of Properties under the Planning Act, Account No. 0280-11, at an estimated cost to the City of \$30 000..

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE ESTIMATED GROSS COST OF \$30 000 FOR THE FEASIBILITY/ NEED STUDY FOR SENIOR CITIZENS BE FINANCED FROM THE "RESERVE FOR THE ACQUISITION OF PROPERTIES UNDER THE PLANNING ACT", ACCOUNT NO. RF 59006-25301.

- (f) That the Director of Culture and Recreation call a meeting of the Steering Committee as soon as the Steering Committee is in place.
- (g) That Alderman Jackson and Alderman Hinkley be appointed as the representatives of the Parks and Recreation Committee.

10. That authorization be given to combine the Rosedale School Playground Equipment Project and the St. Christopher's Separate School Project (both previously approved and funded by City Council) into one project on one site in the Rosedale Neighbourhood without reducing those funds already approved.

11. (a) That the Hamilton-Wentworth Separate School Board be requested to permit the City of Hamilton to construct a two court bocci facility on Separate School land adjacent to the St. Agnes Elementary School in the Riverdale East Neighbourhood; and
- (b) That, subject to the receipt of approval from the Separate School Board, the Parks Division of Public Works Department be authorized to proceed with the installation of the bocci courts at the earliest opportunity this spring at an estimated cost of \$12 000; and
- (c) That the Co-ordinating Committee be requested to recommend the method of financing for this project taking into consideration the funds available in the City's Reserve for Parkland (5%) Fund.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE ESTIMATED GROSS COST OF \$12 000 FOR THE CONSTRUCTION OF THE BOCCI COURT FACILITY BE FINANCED FROM THE "RESERVE FOR THE ACQUISITION OF PROPERTIES UNDER THE PLANNING ACT", ACCOUNT NO. RF 56006-25301.

12. (a) That the registration fee for Camp Kidaca be increased as follows:

	<u>From</u>	<u>To</u>
Residents	\$35	\$40

- (b) That a non-resident fee be initiated to reflect an estimated 50% surcharge as follows:

Non-Residents	\$35	\$60
---------------	------	------

- (c) That the administrative fee for cancellation from the program be increased from \$5 to \$10.

13. (a) That the registration fee for Tennis Instructional Program provided by the Department of Culture and Recreation be increased as follows, effective July 1, 1989.

	<u>From</u>	<u>To</u>
Child/Youth	\$3	\$5
Adult (18 years & over)	\$5	\$8

- (b) That a non-resident rate be initiated, to reflect an estimated 50% surcharge as follows:

Child/Youth	\$ 7.50
Adults (18 years & over)	\$12

14. That staff be authorized to enter into discussions with the Hamilton-Wentworth Separate School Board staff relative to the City's interest in utilizing some or all of the Separate School Land (newly acquired - 8 acres) adjacent to the St. Agnes Elementary School for the purpose of constructing a recreation complex in the Riverdale East Neighbourhood.

15. (a) That Gore Park be designated as the location for the 1989-1990 New Year's Eve Celebration.

- (b) That this event be held in conjunction with the Downtown B.I.A.

16. (a) That an amount of \$15 000 be provided in the Corktown Priority One Park Account No. 0408-C66066.
- (b) That the Co-ordinating Committee be requested to recommend the method of financing.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE \$15 000 REQUIRED TO FINANCE THE COMPLETION OF THE PROPERTIES TO BE PURCHASED FOR THE CORKTOWN PRIORITY ONE PARK BE FINANCED FROM THE "RESERVE FOR LANDS ACQUIRED UNDER THE PLANNING ACT", ACCOUNT NO. RF 53006-25301, AND CREDITED TO WORK-IN-PROGRESS ACCOUNT NO. CF 4136 6286-50008.

17. (a) That the Terms of Reference for The Feasibility Study for Arena/Skating Rink, appended hereto as Schedule "A", be approved.
- (b) That the Terms of Reference be submitted with The Community Recreation Planning Program Application for 50% support funding from the Ministry of Tourism and Recreation.
18. That in accordance with Parks By-law 77-221, City approval be given the following events to be held in conjunction with this year's "Festival of Winter":
- (a) February 4 and 5, 1989 - Horse and Sleigh Rides - King's Forest and Gage Park
 - (b) February 5, 1989 - Hot Air Balloon Rides - King's Forest
 - (c) February 5, 1989 - Tobogganning - King's Forest
 - (d) January 21, 1989 - Snowmobile Rides - Bobby Kerr Park (Sponsored By The Berrisfield Community Council.)
 - (e) Date To Be Confirmed - Sleigh Rides - James MacDonald School Site (Sponsored By the Gourley Park Community Council.)
19. That the surcharge on non-resident fees and memberships for Recreational Facilities in the City of Hamilton, be increased from 30% to 50%, effective immediately.

20. For the Information of Council, the Parks and Recreation Committee, at its meeting held Tuesday, January 24, 1989 made the following appointments to Sub-Committees:

(a) Arts Advisory Sub-Committee

Ms. Sheila Greenspan
Mr. Glen Mallory
Ms. Janna Malseed
Mr. Peter Mandia
Ms. Pegi McGillivray
Ms. Lynda Morris
Mr. William Powell
Mr. Chuck Renaud
Ms. Liz Robinson
Mr. Bob Mason

(b) Crystal Palace Sub-Committee

Mr. Alan E. Bowler
Mrs. Patricia Greenaway
Mr. Dave MacLennan
Mr. A. P. Paterson
Mrs. Joan Renison
Mr. E. R. Seager

(c) Hamilton Historical Board

Mr. Murray Aikman
Mr. John Best
Mr. James C. Rollo
Reverend Bailey
Ms. Margaret Anderson - Hermann

(d) Parks and Recreation Citizen Advisory Sub-Committee

Mr. John Byl
Mr. Lou Franco
Mr. Frank Hickey
Mr. John Kiriakopoulos
Mr. Fiorenzo Mastroianni
Mr. Hugh McKerracher
Mrs. Lori Peddle
Mr. Ken Phillips
Miss Joan Rapsavage
Mr. Michael Russell

(e) Hamilton Veterans Committee

Mr. J. Michael Roach
Mr. John O. Fuller
Mr. Frank Caldwell
Mr. Lloyd Shephard
Mr. George Phillips

RESPECTFULLY SUBMITTED,

Robert C. Prowse,
Secretary

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

1989 January 24

/lp

TERMS OF REFERENCE

FEASIBILITY STUDY

SHORT/MEDIUM/LONG TERM NEEDS - ARENAS/SKATING RINK

BACKGROUND:

The City has recognized the need to include within community arena facilities, spaces suitable for a variety of neighbourhood and community-based activities. Currently, these activities include, but are not limited to:

- (A) Ice Related Events: Minor hockey, ringette, public skating, figure skating, skating schools, and a variety of other rentals and special events.
- (B) Non-ice Related Activities: Including, but not limited to, teen sports programs, lacrosse, ball hockey, dances, banquets, concerts, circuses, and sports tournaments.
- (C) Community Room Activities: Including, but not limited to, senior citizens clubs, community/sports groups meetings and socials, parties, showers, pre-school programs, and activities which serve the "special populations".

Currently, there are eight public arenas in the City of Hamilton, five in the Lower City, and three on the Mountain. These arenas were planned and constructed based on the City's standard of one facility per 25,000 population. The last such facility constructed was the Lawfield Arena, which opened in 1976.

A ninth community arena was first included in the 1978-82 Capital Budget, with construction to commence in 1982 as a result of the Mount Hamilton Minor Hockey Association appearing before the Parks and Recreation Committee, and identifying the lack of adequate community ice-related facilities to serve the West Mountain area. This project was subsequently deferred, due to budget constraints, and altered corporate priorities for Capital Funding.

Over the years, the demands for ice time in City arenas continued to outgrow the existing capacity. Some groups and leagues were unable to obtain ice time at City arenas, while others were restricted to irregular hours, and times unsuitable to their needs.

During the same time, a number of existing user groups expressed concern over their inability to expand programs, and the reflection on the City's "image" as a result of its inability to host Inter-City, Provincial, and Inter-Provincial tournaments due to lack of adequate ice facilities.

Many complaints were received with respect to the quality of ice, user cost, and distance to, the privately-owned hockey arenas in or near the City limits. Further, there have been rumours of imminent closure of two of these facilities. If true, this would result in a loss of six ice surfaces for hockey, and an even greater shortage of ice facilities for existing leagues.

The Hamilton Minor Hockey Council was formed in 1985, and is comprised of representatives of all the various minor (boys) hockey programs in the City. Their objectives include the provision of a co-ordinated minor hockey program to ensure adequate opportunities for all players in the City to participate in a balanced, tiered program for all minor-aged players, at all skill levels. The Hamilton Minor Hockey Council has strongly supported the need for additional Arenas to provide adequate and good-quality facilities for scheduled games, practices, clinics, and tournaments. This need was also supported by The Mount Hamilton Ringette Association, and in terms of summer use, by The Hamilton Lacrosse Association.

In September of 1985, the Parks and Recreation Committee agreed that "The City of Hamilton embark on a ten year capital building program to increase the ice surfaces available for skating sports to be initiated over the next five years."

The program was to commence with the construction of a West Mountain "Twin Pad" Arena, which, as the result of a staff review of ten park sites, was to be located in Olympic Park at Mohawk Road and Scenic Drive. Inasmuch as the project was to be funded through debenturing, the request for approval of same was submitted to the Ontario Municipal Board. The residents living near the proposed site voiced their opposition to this project, and such opposition was supported by private arena operators responsible for one facility within the City limits, and two facilities outside the City limits.

On June 2nd, 1987, the Ontario Municipal Board did not approve the application by the City of Hamilton to construct the Twin Pad Arena which also included an indoor running track, and dressing rooms for users of the adjacent sports fields.

In presenting their decision, the Ontario Municipal Board did not question the City's capability to finance the facility, nor its proposed location, but rather advised that the City "had failed to prove a need for this facility."

With respect to the Jackson Square ice skating surface, there had been talk for many years about locating a skating rink of sorts in the Downtown area, perhaps even in the City Hall Plaza ("Similar to the Nathan Philips Square in Toronto"). It was presumed that this "need" was satisfied with the inclusion of a small indoor rink in the Canada Life Portion of the Jackson Square, however, in 1988, this rink, owned by private enterprise,

was closed, and plans are being made to convert the space for alternative uses. Subsequently, the City's Planning and Development Committee asked for consideration for a public ice skating surface in the Downtown Core area. It should be noted that the City's Strategic Plan does identify the need to "liven up the Downtown".

Given the demands and pressures for increased facilities over the years, and the controversy which has been associated with same, it would seem most appropriate that a through review be undertaken at this time.



STUDY PURPOSE:

The Purpose Of This Study Is To Determine:

- (A) The short, medium, and long term needs for Arena Facilities.
Short term shall be defined as 1 year.
Medium term - 5 years.
Long term - 10 years.
- (B) The feasibility of locating an artificial ice skating rink in the downtown core of the City of Hamilton.

The Analysis Leading To This Recommendation Shall Identify And Consider:

- (A) Design Components
- (B) Spatial Requirements
- (C) Potential Site Locations
- (D) Potential Programs
- (E) Capital Costs/Revenue; - Operating Costs/Revenue
- (F) Implementation plan including time frame(s) for construction, corporate and department impact - staffing, budget, etc.

Since the City will be applying for a Government Grant, the outline will provide a checklist in proposal evaluation, and specify how each task will be achieved; and highlight public participation.

1.0 DATA COLLECTION:

1.1. Background Data:

The physical, social, cultural and economic characteristics of the community and the city will provide an overall perspective for the project.

(A) Population Data

This includes age and sex breakdown, occupation, income levels, education level, special population requirements.

(B) Development Patterns

(C) Economic Growth Projections

(D) Population Growth Projections

(E) Supporting resource materials: Official Plan, Culture and Recreation Master Plan (including Analysis and Alternate Directions Report, Data Base Report). Arena Business Plan prepared by the Department of Culture and Recreation, reports presented to the Ontario Municipal Board in support of the construction of a West Mountain Arena at Olympic Park, together with the decision of the Ontario Municipal Board in not approving the City's application for same, Parks Inventory, Analysis, Existing Land Use, Neighbourhood Plans.

1.2 Activity Data

- (A) Profiles of potential participants (age, location of home, income and occupation).
- (B) Activity patterns and preferences.

1.3 Present Supply Of Service

The supply inventory should provide enough detail to enable a decision to be made as to whether existing facilities could be utilized or re-organized to meet the needs of the future.

- (A) Municipal Recreational Facilities
- (B) Schools: Elementary, Secondary, Colleges, Universities
- (C) Facilities In Surrounding Communities
- (D) Vacant Land
- (E) Privately Owned Facilities

For The Above Facilities Show:

- (1) Who Operates Them
- (2) Who Uses Them
- (3) How Much They Are Used
- (4) Whether They Are Financially Secure
- (5) How Far The Users Travel
- (6) Cost To The User
- (7) Any Facilities Scheduled For Renovation, Expansion, Or Demolition
- (8) What New Facilities Are In The Planning Stage For The User Groups.

2.0 DETERMINE NEED:

The consultant shall confirm the need for the arena(s) and the outdoor artificial ice rink in the downtown area in order to assist in outlining the design components.

The consultants shall use appropriate analytic techniques to identify facility and activity priorities. Recommended approaches are listed below. These techniques may be used in combination to assure that an objective analysis of needs is achieved.

2.1 Public Participation:

The consultant will detail how public participation is to be achieved throughout the study. At least two public meetings will be required. One shall take place during the needs identification stage, and another after the draft plan review. Additional meetings may be required with existing facility user groups, and other interested community groups. The consultants shall indicate the methodologies to be used to gather pertinent data.

2.2 Develop Measurable Objectives And Criteria:

Measurable objectives should be developed from specific goals such as: access, quality and variety, criteria such as maximum service area and capacity of a facility for a given user populations will then be used to evaluate the objectives.

2.3 Economics:

Based upon a cost/benefit analysis of alternative approaches to supplying services and facilities an economic perspective shall be established.

2.4 Standards For Facilities:

Consideration should be given to the City's Standards For Recreation Facilities and those published by the Ministry of Tourism and Recreation.

3.0 SELECTION OF ALTERNATIVES

(A) Arenas

The consultant should be cognizant that the options may include but not limited to:

Constructing of a Twin Pad Arena on a single site

Construction of a single surface arena

Twinning of existing facility(ies)

Constructing of a year-round ice facility

Constructing of a winter season only ice facility(ies)

(B) Outdoor Skating Rink - Downtown Area

An open outdoor public skating facility to be constructed on lands of the City Hall.

Use of private property, or property leased from or owned by the City.

3.1 Joint Use Agreements:

A facility may be used by more than one organization in order to obtain maximum value for facility dollars.

- (A) Direct cost, sharing in planning, construction and maintenance
- (B) Direct rental charged to the user
- (C) Reciprocal arrangements - exchange of use for each other's facility for free or a nominal charge
- (D) Shared utility "plants".

3.2 Increase Efficiency Of Existing Facilities

Meet new needs with existing facilities by operational changes.

- (A) Lengthen hours of operation
- (B) Shorten rental periods
- (C) Increase programs
- (D) Increase off peak use

3.3 New Construction

Necessary due to new programs, newer population and lack of existing suitable buildings.

3.4 Delay Projects

Temporary uncertainties which may suggest reconsideration at a later date may be preferable. The exact date when the next review of the proposed project will begin should be specified.

4.0 EVALUATION OF ALTERNATIVES:

Each alternative must be examined. Particular attention will be paid to accurate and complete accounting for all related costs and revenues. The evaluation should include capital, maintenance and operational components as well as programming potential.

4.1 Program Potential

Outline how the alternative will be effective in meeting the needs identified in the analysis stage. Analyze, where applicable, winter and summer activities.

- (A) Goals And Objectives Of Each Program
- (B) Number Of Grouping Of Users
- (C) Personnel Required
- (D) Program Scheduling
- (E) Furnishing And Equipment Needed
- (F) Relationship To Other Activities
- (G) Special Program Needs Are To Detailed Enough So The Preliminary Cost Calculation Can Be Made.

4.2 Space Requirements

Space requirements should detail the areas required for each function in the facility not only the primary activity space, but also support areas. The space program needs to be detailed enough so that a preliminary cost calculation can be made.

4.3 Site Selection

Cost and accessibility of the site and how that relates to the expected users are to be outlined in this section. Comparisons of sites will consider:

- (A) Location Relative To Public Transportation And Distance Of Users From Origin
- (B) Size And Topography Including Potential For Expansion
- (C) Cost Of Acquisition And Current Ownership
- (D) Soil And Drainage Conditions
- (E) Services
- (G) Present Use
- (H) Easements
- (I) Suitability (i.e. Adjacent Land Uses), Compatibility Of Facility(ies) Related To The Community Served
- (J) Environmental Impact
- (K) Parking Requirements

As largest single expenditure, costs will include but not be limited to the following breakdown:

- (A) Land Acquisition Costs, If Applicable
- (B) Planning, Designing And Project Management Costs
- (C) Construction Cost
- (D) Site Preparation, Servicing Hook-Ups, Drainage, Landscaping, Parking, Lighting, etc.
- (E) Furnishings And Equipment
- (F) Supplies And Other Materials

4.5 Capital Funding

Sources and methods of possible capital financing will be outlined. For example, but not limited to:

- (A) Government Grants
- (B) Municipal Funds
- (C) Community Fund Raising, i.e. Service Clubs, Corporate And Individual Donations, Community-Specific Lotteries
- (D) Debt Financing - Levies
- (E) Joint Development And Operational Agreements

In addition, the consultant will outline how accurately capital costs can be projected, how construction costs will be controlled, how possible debt will be retired and the potential financial impact on the Corporation, the taxpayer.

4.6 Operational Costs

Operational cost projection will show funds and personnel needed to maintain and operate programs in the proposed facilities. Revenues generated by the proposed program must be considered in relation to costs. For each alternative, expenditures and revenues will be projected for the first five years.

- (i) Building And Maintenance Costs
 - (A) Fuel And Utilities
 - (B) Cleaning And Supplies
 - (C) Preventative Maintenance And Service Contracts
 - (D) Security
 - (E) Financing Costs

(ii) Long Term Maintenance Costs (Life Cycle Costs)

Outline costs that occur at regular intervals but not annually, such as equipment replacement. Certain information about the expected lifetime of equipment will be necessary.

- (A) Repair and maintenance of equipment, building surfaces, structure.
- (B) Replacement or upgrading of fixed and moveable equipment.

(iii) User Program Costs

- (A) Wages of non-operational personnel, i.e. program staff
- (B) Supplies and materials relative to program
- (C) Promotion and advertising
- (D) Rented equipment

4.7 Revenue

Outline the revenue generating potential of each alternative from possible revenue sources as outlined below, but not limited to:

- (A) Facility Rental
- (B) Concessions
- (C) Admission Fees
- (D) Memberships
- (E) Joint Use Agreements
- (F) Advertising Space
- (G) Equipment Rentals, Sales And Service
- (H) Donations

This analysis will cover the first five years to give a projection of the surplus/deficit position. Should a deficit result, the source of funds which will be needed to support the facility must be outlined.

5.0 RECOMMENDATIONS

The consultant will prioritize the alternatives investigated and recommend the best option and outline why. After the investigation and subsequent analysis of alternatives, the consultant shall make a prioritized list of recommendations. These recommendations shall be comprehensive in scope and the consultant will recommend the preferred option(s) with supporting rationale.

6.0 IMPLEMENTATION

After the study has been approved and course of action decided upon, the sequence of activities leading to the completion of the facilities will be detailed on a time-line basis.

7.0 ROLES AND RESPONSIBILITIES

7.1 The Culture And Recreation Department

The Director of Culture and Recreation or designate shall act as the liaison and direct contact person between the Steering Committee and the Consultant and shall also assume the following responsibilities:

- (A) To provide printing services (i.e. minutes, notices of meeting, questionnaires).
- (B) To prepare and circulate all minutes of meetings held in relation to the study with the exception of public meetings.
- (C) To perform all administration required in the application for study support funding from the Ministry of Tourism and Recreation.
- (D) To circulate all interim reports to all appropriate committees, agencies and individuals.
- (E) Co-ordinate and advertise public meetings with copy supplied by consultant.
- (F) To submit to the Ministry of Tourism and Recreation three (3) copies of any interim, draft and final reports for comment.
- (G) Provide copies of the interim and final reports to the Steering Committee, Department Heads, major recreational organizations and Council as necessary.
- (H) Provide consultants with all relevant background information outlined as resource material at the onset of the study.

7.2 Steering Committee

The Steering Committee shall consist of three members of the Parks and Recreation Committee, one representative each from the following:

Hamilton Minor Hockey Council
Ringette Association
Old Timers Hockey Association
Hamilton/Stoney Creek Skating Club
Three Citizens-At-Large
Two Staff Of The Culture And Recreation Department
One Staff From The Planning Department (Local)

Note staff, of The Ministry of Tourism and Recreation, will be an ex-officio member of the Committee.

They shall be responsible to the Parks and Recreation Committee through the Director of Culture and Recreation and shall oversee the study including:

- (A) Assist in selecting the consultant firm.
- (B) Review and approve the format and content of public input.
- (C) Monitor the progress of the study in relation to the Terms of Reference and attendant timeline agreed to by the consultant.
- (D) Review and comment on interim reports.
- (E) Receive and review the draft final report prior to presentation to the Parks and Recreation Committee and Council.

7.3 Consultant's Responsibilities:

- (A) The consultant will clearly outline their proposed study method as it relates to the study purpose.
- (B) During the course of the study, the consultant will be expected to provide information/directions/alternatives based on successful and innovative approaches to such facilities and the provision of same.
- (C) The consultant will be responsible for providing a copy for advertising public meetings in the local news media.
- (D) Prepare and circulate to Steering Committee all minutes of public meetings.
- (E) Submit a work schedule within one week of Council's approval of the selection of the consultant and ensure that the approved timeline is met.
- (F) Develop draft copies of all survey questionnaires and submit them to the Steering Committee for approval.
- (G) Provide regular progress reports and meet with the Steering Committee to review same.
- (H) The consultant shall complete the Draft Report by June 13th, and the Final Report for presentation to the Parks and Recreation Committee and Council by July 25th.
- (I) The consultant shall be responsible for the preparation, printing, including reduction and reproduction of all graphics, illustrations, cover sheets, etc. as required for the preparation of:

15 - Interim Reports
20 - Draft Reports
35 - Final Reports

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its FOURTH report for 1989 and respectfully recommends:

1. (a) That a grant and repayable loan in the amount of five thousand dollars (\$5,000.) BE APPROVED for Mrs. A. Dreher, 3 Fielding Crescent, for the adaptation of her home for handicapped access.
- (b) That subject to approval, the Lien be registered on Title indicating that a forgivable grant in the amount of two thousand, five hundred dollars (\$2,500.) be earned over a five (5) year period, and the balance of two thousand, five hundred dollars (\$2,500.) be repaid to the Corporation of the City of Hamilton at the time of the sale of the property. The interest rate on the repayable portion will be zero percent.
2. (a) That the composition of the Board of Directors of the Municipal Non-Profit (Hamilton) Housing Corporation be revised to 9 council members, preferably one from each Ward, and the Mayor, and 5 citizen members.

Note: The present composition consists of all members of City Council

3. That the City Solicitor be authorized to prepare a Quit Claim Deed from the City of Hamilton to the present owners of 1172 Rymal Road East, Hamilton, Ontario to release the property from the construction covenants to the City as contained in deed number 204779 L.T.

NOTE: In adopting Item 12 of the Eighth Report for 1987 of the Planning and Development Committee, City Council on 1987 April 28, authorized the sale of Lot 6, Registered Plan M-352 to Tuite Construction Limited. The transaction was completed on 1987 July 13. On 1988 December 20, their proposed building was completed.

4. That the City Solicitor be authorized and directed to prepare a Notice from the City of Hamilton to Fourth Phase Civic Square Limited, advising that the City of Hamilton, under the provisions of the City's Ground Lease, direct that the Skating Rink and its facilities be re-opened, operated and maintained for the balance of this winter season.

5. (a) For the information of the members of City Council, the Planning and Development Committee have appointed the following members of Council to serve on the Beach Implementation/Beach Advisory Committee:

Alderman F. Lombardo
Alderman D. Agostino
Alderman D. Christopherson

THE CO-ORDINATING COMMITTEE RECOMMENDS
THAT ALDERMAN G. COPPS BE APPOINTED AS
AN ADDITIONAL CITY REPRESENTATIVE ON THE
BEACH IMPLEMENTATION BEACH ADVISORY COMMITTEE

(b) For the further information of members of City Council, the Planning and Development Committee have appointed Mr. R. Wheeler to serve on this Committee as an owner representative from Hamilton Beach.

NOTE: The composition of owners/tenants from Hamilton Beach will be increased from seven (7) to eight (8) with the appointment of Mr. Wheeler.

(c) Also for the information of the members of City Council, the following members make up the composition of the Beach Advisory Committee as per the composition approved by City Council on 1988 August 30th:

<u>Representing</u>	<u>Member</u>
(i) Hamilton Region Conservation Authority	To be determined
(ii) Region of Hamilton-Wentworth	Councillor S. Napper
(iii) Citizen at Large	Mrs. G. Simmons
(iv) Hamilton Beach	Mrs. L. Marshall Mr. M. Gagnon
(v) Owners/Tenants, Hamilton Beach	Ms. L. Gendreau Ms. E. Nebesny Ms. E. Massignani Mr. B. Jaggard Mr. J. Howlett Mr. S. Hobbs Ms. T. Kemp

6. That APPROVAL be given to Zoning Application 88-32, Ronald James Creighton, owner, for a change in zoning from "AA" (Agricultural) District modified to "HH" (Restricted Community Shopping and Commercial) District, for property located at 19 Rymal Road East, as shown on the attached map marked as APPENDIX "A" on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District, modified to "HH" (Restricted Community Shopping and Commercial) District.
 - (b) That the "HH" (Restricted Community Shopping and Commercial) District provisions as contained in Section 14A of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following as special requirements:
 - (i) that a landscaped planting strip not less than 3.0 meters wide shall be provided and maintained within the lot along the entire southerly lot line.
 - (ii) no access driveway to and from Rymal Road East shall be provided on the land.
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1109, and that the subject lands on Zoning District Maps E-9D and E-9E be notated as S-1109;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-9D and E-9E for presentation to City Council.
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the application is to provide for a change in zoning from "AA" (Agricultural) District, modified, to "HH" (Restricted Community Shopping and Commercial) District for property located at 19 Rymal Road East.

In addition, the By-law requires a landscaped planting strip not less than 3.0 meters wide to be provided and maintained within the lot and along the entire southerly lot line; and that no access driveway to and from Rymal Road East shall be permitted.

The effect of the By-law is to permit commercial use (parking lot) of the subject lands.

7. That APPROVAL be given to an amended Zoning Application 88-68, Jose Inacio Santinhos and Ana Da Costa Santinhos, owners, for a modification to the established "L-mr-2" (Planned Development - Multiple Residential) District, to permit a barber shop as a home occupation type use, for property located at 158 Dundurn Street North, as shown on the attached map marked as APPENDIX "B" on the following basis:

- (a) That the "L-mr-2" (Planned Development - Multiple Residential) District regulations as contained in Section 17B of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:
 - (i) Notwithstanding the provisions of Section 2.(2)(H)(iii)(f) and (h) of By-law No. 6593, barbering shall be permitted as a home occupation:
 - (1) carried on by not more than one barber having a principal and permanent place of residence on the premises; and,
 - (2) providing that operation is limited to not more than one barber chair and not more than one commercial sink.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1110, and that the subject land on Zoning District Map W-11 be notated S-1110;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-11 for presentation to City Council.
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to the established "L-mr-2" (Planned Development - Multiple Residential) District regulations applicable at 158 Dundurn Street North.

The effect of the By-law is to permit a barber shop, operated as a home occupation for one barber only. In addition, the By-law limits the barber shop to only one barber chair and one commercial sink.

8. That APPROVAL be given to Zoning Application 88-93, Doug and Cathy Earle, owners, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations to allow a hairdresser as a home occupation use, for property located at 101 Folkestone Avenue, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
- (i) Notwithstanding paragraphs (f) and (h) of Section 2(2)H.(iii), hairdressing shall be permitted as a home occupation on the following basis:
- (1) it is carried on by not more than one hairdresser having a principal and permanent place of residence on the premises; and,
- (2) there is not more than one comb-out centre and one styling sink.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1111, and that the subject lands on Zoning District Map W-13 be notated S-1111;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38a for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a modification to the established "C" (Urban Protected Residential, etc.) District regulations applicable to property located at 101 Folkestone Avenue.

The effect of the By-law is to permit a hairdressing business as a home occupation use for one hairdresser who resides on the premises as their principal place of residence.

9. That Zoning Application 88-95, Angela Rzazewski and Wesley Rzazewski, owners, requesting a modification to the "C" (Urban Protected Residential, etc.) District for property located at 31 Lake Avenue North, as shown on the attached map marked as APPENDIX "D", BE DENIED for the following reasons:

- (a) It is out of character and incompatible with existing residential development;
- (b) It represents an undesirable intrusion of a commercial use into an area of establishing single-family dwellings;

- (c) Approval of the application would establish an undesirable precedent and set the stage for future similar applications to extend commercial zoning along both sides of Lake Avenue North in the area north of Queenston Road;
- (d) It is questionable if sufficient off-street parking for the six employees and customers can be accommodated on the site without spillover effects on surrounding roadways;

10. That APPROVAL be given to an amended Zoning Application 88-103, Walter and Mary Matesa, owners, requesting a change in zoning from the "KK" (Restricted Heavy Industrial) District modified to the "HH" (Restricted Community Shopping and Commercial) District modified, to permit the expansion of the restaurant and parking lot on adjoining lands to the south located at 395 Centennial Parkway North, as shown on the attached map marked as APPENDIX "E", on the following basis:

- (a) That Schedule "A" to By-law No. 81-344 be amended by adding the subject lands thereto;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-772a, and that the subject lands on Zoning District Map E-102 be notated S-772a;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law No. 81-344, and Zoning District Map E-102 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from the "KK" (Restricted Heavy Industrial) District modified to the "HH" (Restricted Community Shopping and Commercial) District modified, for property located at the south-west corner of Goderich Road and Centennial Parkway North.

The effect of the By-law is to permit expansion of the restaurant and parking lot located on adjoining lands to the south at 395 Centennial Parkway South.

In addition, the lands will be regulated by By-law No. 81-344 which applies to the adjoining lands to the south, and permits only a motel, single family dwelling, a restaurant, motel office use, and accessory uses.

11. That the following policy BE ADOPTED for grading standards on single and double family housing controlled by the subdivision process:

- (a) That the definition: "Required back yard", shall mean the distance designated in the Zoning By-law.
- (b) That the maximum slope in the back yard adjacent to the building for a distance equal to the required back yard shall be 7%, except as set out in sections (c) and (d).
- (c) That the 7% restriction shall not apply to the sides of a swale along the sides or back of the lot, providing the total width of the swale shall not exceed one (1) metre.
- (d) That where the 7% restriction on the back yard grades results in elevation differences between different properties, retaining walls shall be constructed along the sides and the back of the lot. Slopes with a maximum of three horizontal to one vertical may replace the walls where the said difference in elevation is less than 0.3m.
- (e) That there is no control on the steepness of the slopes in side yards, front yards and back yards, outside the area defined in (a) above, providing said slopes are stable for the soils of the area.
- (f) That the retaining walls shall be located on the high lands.

12. (a) That Alderman J. Smith be appointed as a Council representative on the Local Architectural Conservation Advisory Committee.

NOTE: Alderman W. McCulloch was appointed by City Council at its meeting held Tuesday, 1988 November 30, to serve as a Council Representative on LACAC.

- (b) That the citizen composition be increased from seven (7) citizens to eight (8) citizens; and
- (c) That the following citizens be appointed to serve on LACAC for a term of office to expire 1991 November 30:

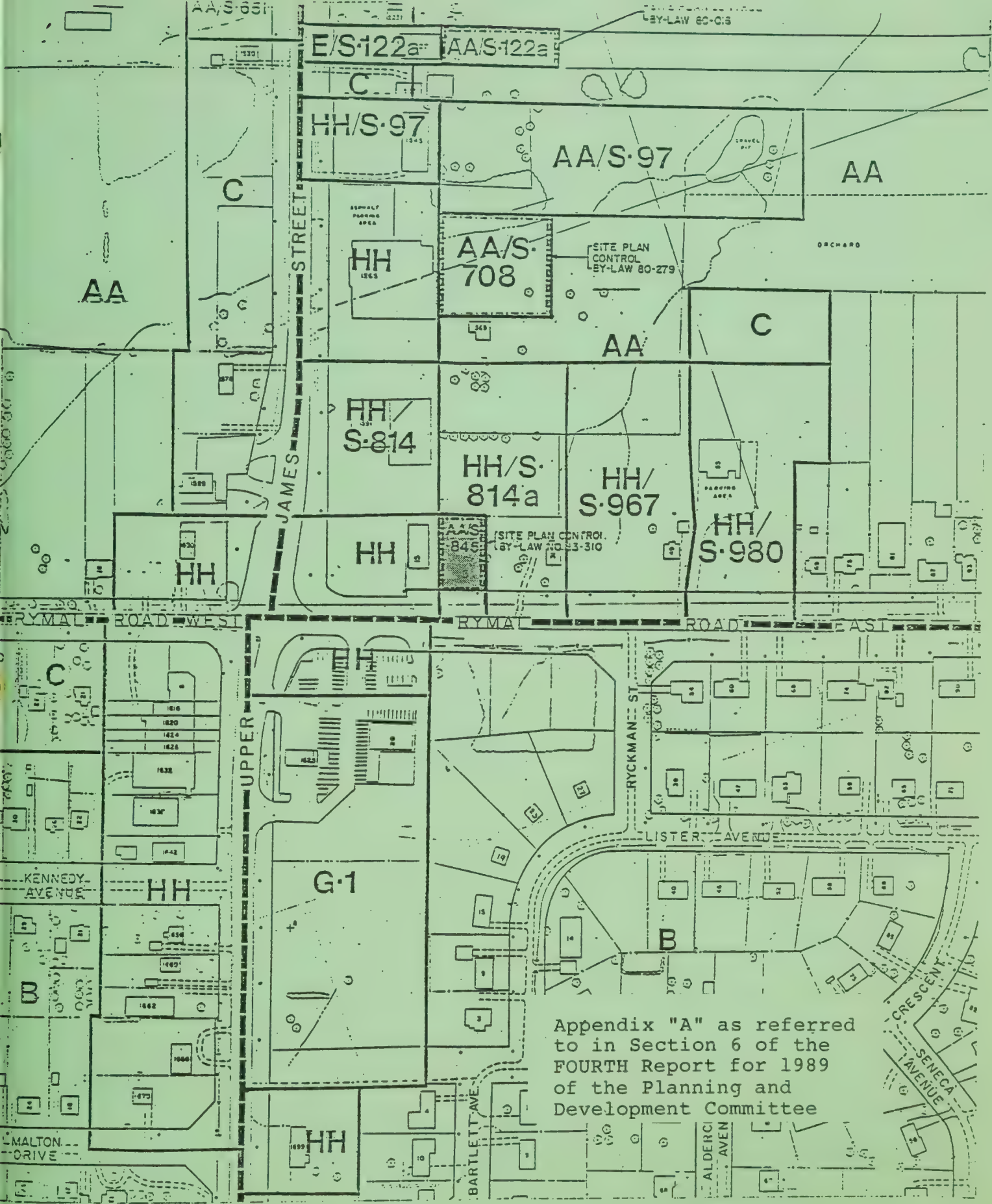
Mr. R. Brough
Mrs. D. Dent
Mr. B. Henley
Mr. J. Mokrycke
Mr. R. Rankin
Mrs. M.J. Rigby
Mrs. G. Simmons
Mr. R. Wheeler

13. That the Region of Hamilton-Wentworth be requested to grant a one year extension to the draft approval for "Wisemount Forest Survey" Subdivision (Regional File No. 25T-83004).
14. That leave be granted to introduce the following Bill:
- (a) Bill D-6 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 120 Stone Church Road West.
 - (b) Bill D-7 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 19 Aikman Avenue.
 - (c) Bill D-8 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 2289 Barton Street East
 - (d) Bill D-9 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 205 Nebo Road.
 - (e) Bill D-10 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 66 and 70 Kennedy Avenue.
 - (f) Bill D-11 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1221 Stone Church Road East.
 - (g) Bill D-12 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 2783 King Street East
 - (h) Bill D-13 A By-law to amend Zoning By-law No. 6593 respecting lands located on the west side of Centennial Parkway North, between Confederation Drive and the Queen Elizabeth Way.
 - (i) Bill D-14 A By-law to establish Site Plan Control respecting lands located on the west side of Centennial Parkway North, between Confederation Drive and the Queen Elizabeth Way.

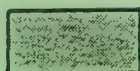
Respectfully submitted,

Alderman J. Smith, Chairman
Planning and Development Committee

Susan K. Reeder, Secretary
1989 January 11



LEGEND



SITE OF THE APPLICATION



E PLAN CONTROL
BY-LAW 81-1077

SITE PLAN CONTROL
BY-LAW 80-013

CONLURN

P.A.R.

BATTERY
LODGE

610

A/S.569

DOODBINE

CRESCENT

SITE PLAN CONTROL
BY-LAW 81-925

YORK

BLVD

INES STREET

NORTH

STREET

DUNDURN

STREET

Lmr.2

Lmr.2
S.717a

H/S.
608

H/S.

H/S.7

Appendix "B" as referred
to in Section 7 of the
FOURTH Report for 1989
of the Planning and
Development Committee

TOM

STREET

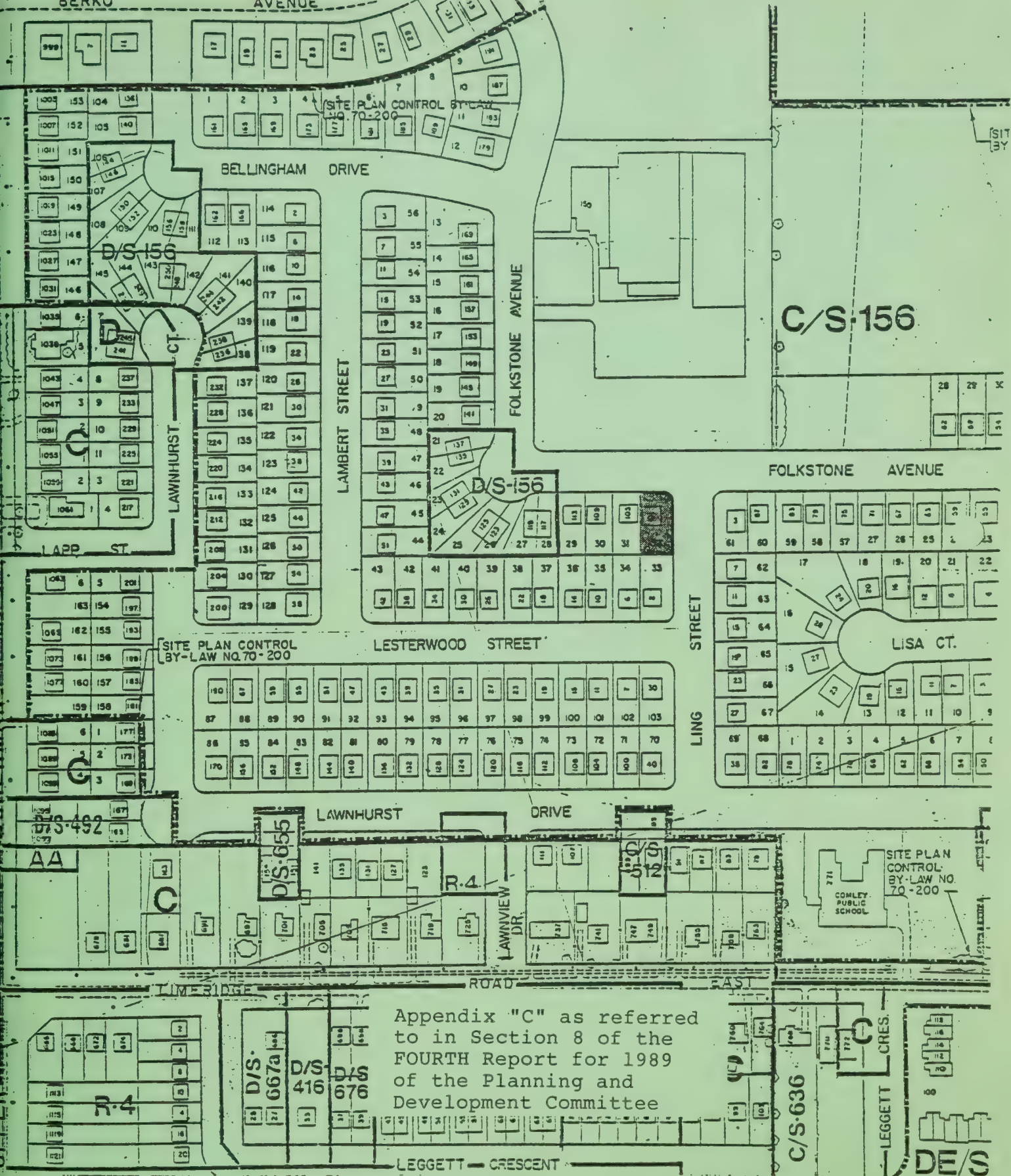
TOM STREET

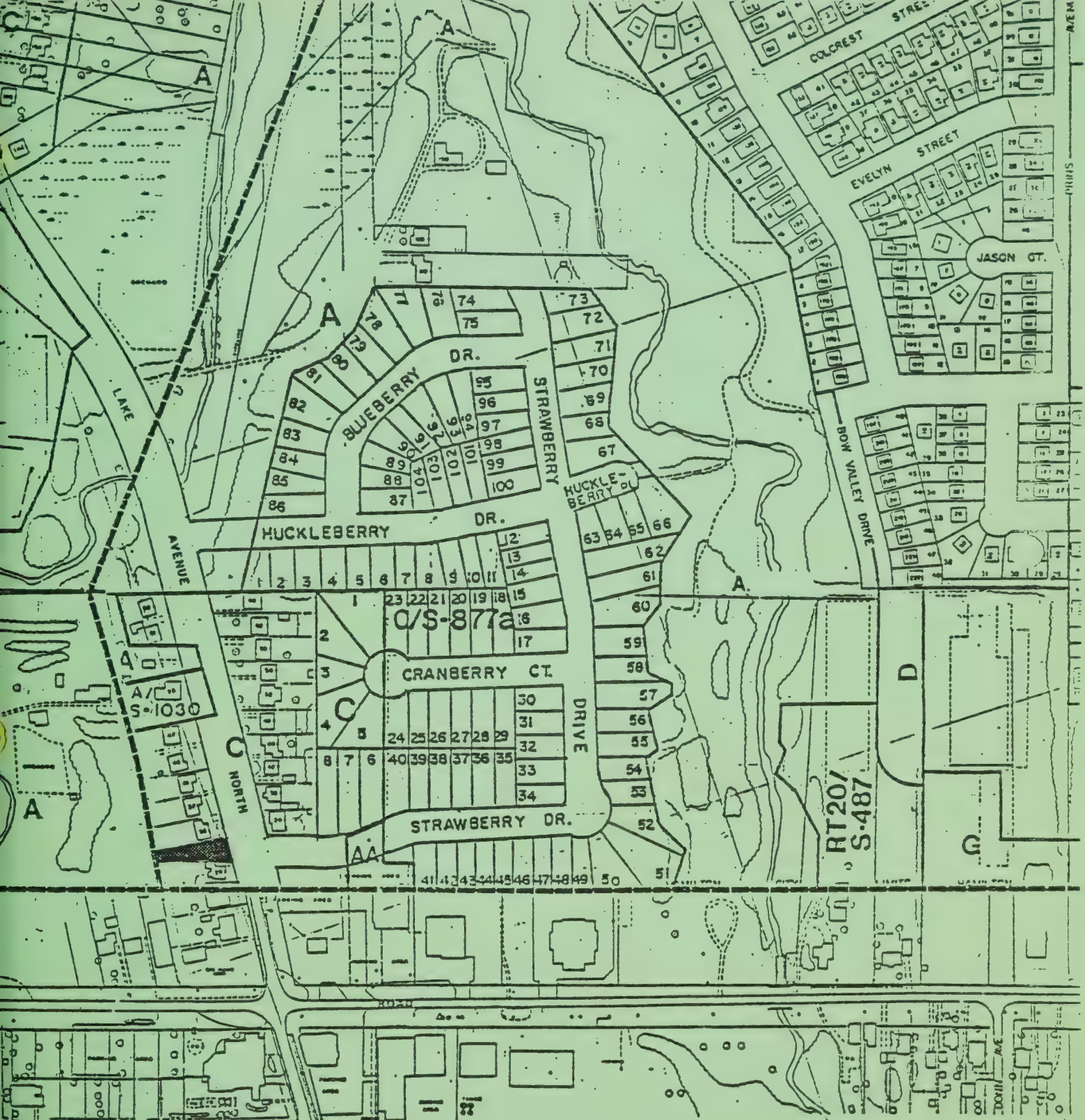
Legend



Site of the Application





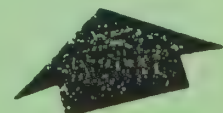


Appendix "D" as referred
to in Section 9 of the
FOURTH Report for 1989
of the Planning and
Development Committee

Legend



Site of the Application



ZA 88-95

REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **SECOND** Report for 1989 and respectfully recommends:

1. That the request of the Participation House - Hamilton and District for permission to set up a display board in the second floor foyer from 1989 February 01 to February 16, be approved.
2. That the request of the Salvation Army, Hamilton Temple for the following arrangements in connection with the World Day of Prayer ceremony to be held Friday, 1989 March 03, be approved.
 - (a) Use of the Council Chambers for a rehearsal on Monday, 1989 February 27 from 7:00 p.m. to 9:00 p.m. and for the ceremony to be held from 11:00 a.m. to 2:00 p.m. on Friday, 1989 March 03.
 - (b) Providing coffee and tea for a reception in Room 219 following the ceremony.

Note: Funding for this expenditure to be charged to Account No. CH55313-84010 - Receptions, City Hall.

3. That approval be given for the use of the Council Chambers for a general membership meeting of the Hamilton Minor Hockey Council on 1989 March 01 at 7:30 p.m.
4. That the City of Hamilton endorse and support the 1989 Amstel Light Hamilton Marathon to be held in the City of Hamilton in May, 1989.

Note: Support for this event will be similar to that given for the 1988 Hamilton Marathon. As in the past three years, this has not been a request for financial assistance but rather support services from Parks, City Clerk's, Public Works, etc.

5. That approval be given to the action of the City Clerk's Department in directing the preparation of a cheque in the amount of \$500 which was awarded to Mr. Herb Barrett in recognition of his receiving the 1988 Hamilton Arts Award.

Note: This is a civic award which is presented annually on behalf of the City of Hamilton at a special ceremony. Funds have been allocated and are available in Account No. GR53439-20020.

6. (a) That the City of Hamilton purchase an ad in the special issue of the national publication of "Kin Magazine", a magazine featuring messages of support acknowledging the valuable work performed by the Kinsmen and Kinettes, at a cost of approximately \$410.
- (b) That the cost of this advertisement be financed from Account No. CH56302-12000, Advertising, City Clerk.
7. That the following resolution from the City of Etobicoke, be received.

WHEREAS there have been a significant number of heat-related deaths among the residents of nursing homes; and

WHEREAS it is obvious that measures must be taken to alleviate intense heat conditions experienced in the summer of 1988; and

WHEREAS there is a lack of consensus among experts regarding the best mechanism to remedy this problem; and

WHEREAS this matter is of concern to municipalities as it affects nursing home residents and their families living within the municipality;

THEREFORE BE IT RESOLVED that Etobicoke Council and the Board of Health urge the Ministry of Health to investigate measures to prevent further recurrences of this nature; such measures should be effective; acceptable to the residents of these institutions and closely monitored; and

FURTHER that this Motion be circulated to all Ontario municipalities of over 150 000 people and their health units for endorsement.

8. That no action be taken on the following resolution from the Town of Dundas dealing with the issue of the deposit of sanitary land fill material in quarries as this matter has already been dealt with by the Regional Engineering Services Committee.

"That the Minister of the Environment be advised that the Council of the Town of Dundas opposes the deposit of sanitary landfill material in any quarry above the Niagara Escarpment within fifteen miles of its face and urges that legislation be enacted as quickly as possible to prohibit this."

9. That no action be taken to change the name of the Co-ordinating Committee back to the Executive Committee.

Note: At its caucus meeting held 1988 November 30, City Council directed that the Legislation Committee be requested to consider changing the name of the Co-ordinating Committee back to the Executive Committee.

At its meeting held 1989 January 23, the Legislation Committee agreed to recommend to City Council that no action be taken to change the name back to the Executive Committee.

10. That the Legislation Committee conduct and complete, within the next ninety (90) days, a general public review of Licencing By-law No. 79-323 (as amended) respecting Taxi-cabs, including, but not limited to, the following matters:

- (a) The requirement of an applicant for a licence who is on the Taxi-cab Priority List to have actually engaged in operating a taxi-cab full time in the City as owner or driver or dispatcher for a period of at least two (2) consecutive years immediately prior to the date of consideration of his or her application by the Licencing Committee; and
- (b) A new administration fee to be paid by an applicant for a licence in order to be placed on the Taxi-cab Priority List and, afterwards, to be paid by the applicant, on an annual basis, in order to remain on the Taxi-cab Priority List.

11. That all references to the number of Bingo Lottery licences to be issued in the City of Hamilton as specified in Bingo Lottery By-law No. 78-130 as amended by By-law No. 87-18, Section 1(4), be repealed.

Note: For the information of the members of City Council, the City Solicitor's Office has advised that the municipality has no legislative authority to limit the number of bingo licences.

12. (a) That Bingo Lottery By-law No. 78-130 as amended by By-law No. 81-248 be further amended by deleting all reference to the prices of bingo game cards and inserting in lieu thereof reference to the City of Hamilton Licencing Committee being authorized to regulate the pricing of bingo cards.
- (b) That the City Solicitor be authorized and directed to consolidate the Bingo Lottery By-law No. 78-130 and amendments.
- (c) That the Province of Ontario be notified of the City of Hamilton's concern about the potential for saturation of the bingo market within Hamilton.

- (d) That the Province of Ontario be made aware of the potential impact on Hamilton organizations by the effect of bingo operations in neighbouring municipalities.
- (e) That the City of Hamilton Licencing Committee be requested to consider the regionalization of Bingo Lottery licences.

13. That the installation of a permanent Canadian Football Hall of Fame and Museum sign at the north-east corner of the City Hall property in the vicinity (east of) the wheelchair access leading to Main Street West, **not be approved:**

Note: The above matter dealing with the exact location of the sign was lost on a tie vote at the meeting of the Legislation Committee 1989 January 23 and in accordance with established polity is no being submitted to City Council for its consideration and disposition.

It should be noted that at its meeting held 1988 December 13, City Council in adopting Section 9 of the FIRST Report of the Legislation Committee approved of the installation of a permanent Canadian Football Hall of Fame and Museum sign on City Hall property conditional upon the Legislation Committee approving the exact location of the sign.

14. That the City Hall Open House Program which has been held once every year for the past six years, **be discontinued.**
15. For the information of the members of City Council, the Legislation Committee has approved of the following appointments to the Sub-Committees listed below:

French Sub-Committee

Alderman G. Copps
Marie Patenaude Barker
Anne Gravereaux
A. J. Lafreniere
Ryan M. Paquette
Denise Beauchemin
Rodger Paquette
Laurent Turenne

Hamilton Farmers' Market Sub-Committee

Alderman F. Lombardo
Bud Hubbard - Hamilton Farmers' Market
Stallholders Association
Ken Gunson - Hamilton Farmer's Market
Stallholders Association
Gregory Fralieggh - Citizen

16. (a) That approval be given to the action of the Legislation Committee in purchasing an ad in a special supplement of the Hamilton Spectator in the amount of \$450 acknowledging and congratulating the Hamilton Public Library on the occasion of its 100th Anniversary.
- (b) That the cost of this advertisement be financed from Account No. CH56302-12001 Advertising, City Clerks.
17. That approval be given to the action of the Legislation Committee in authorizing the use of City Hall facilities as summarized below:
- (a) Hamilton Injured Workers Committee, City Hall forecourt, Friday 1988 December 23 for the purpose of holding a vigil in memory of all injured workers and all workers who have tragically lost their lives in the workplace.
- (b) Ukrainian Canadian Committee, Hamilton Branch, Council Chambers, Saturday, 1989 January 21 for a proclamation ceremony proclaiming "Independence Day" in the City of Hamilton.
- (c) Gathering Records Ltd., City Hall forecourt on Saturday, 1989 January 28 at 12:00 o'clock noon for staging a photo shoot of a gathering of personnel from the Arts and Entertainment field for a poster and album cover.
18. That leave be granted to introduce the following Bill:
- Bill E-2 By-law To Repeal By-law No. 87-234 and
 By-law No. 87-294 and to Amend
 Licencing By-law No. 79-323 Respecting
 Flea Markets.

Respectfully Submitted,

Alderman V. J. Agro, Chairman
Legislation Committee

John Thompson, Secretary
1989 January 23

mjlw

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its FIRST Report for 1989 and respectfully recommends:

1. That the position of Curator, The Hamilton Museum of Steam and Technology be slotted in Non Union pay grade "M".

NOTE: The Annual salary range for the "M" pay grade is \$32,604.00 to \$38,364.56, and funds are accommodated within the existing budget.

The position was evaluated by the City's Job Evaluation Committee to be within the "M" point range. The evaluation is identical to existing Museum Curatorial positions of comparable size.

For the information of members of Council, the Personnel Committee have directed that a staff Engineer be part of the Interviewing Team for this position.

2. That the rate of pay for the position of Cashier/Receptionist, Main-Hess Seniors Centre be changed from \$4.999 to \$8.694 per hour effective 1988 October 31.

NOTE: There are sufficient funds within the 1988 budget to provide for the retroactive wage increase. 1989 budget estimates will include the hourly rate increase.

The job responsibilities have been expanded significantly. The recommended rate is consistent with other similar positions within Culture & Recreation.

3. That the Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1989 January 6, attached hereto and marked Appendix "A", BE APPROVED.

Respectfully submitted,

Alderman B. Hinkley, Chairman
Personnel Committee

Susan K. Reeder
Secretary
1988 January 25

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Evelyn Auchincloss	Stenographer IV (E-2)	City Solicitor's	replacing Ms. R. Blanchard - transferred	\$339.51 to \$365.75	\$339.51 per week (1 of 3)	Dec. 19, 1988
Ms. Rae Blanchard	Typist Clerk II (E-2)	Public Works	replacing Ms. B. McKinlay - promoted	\$339.51 to \$365.75	\$339.51 per week (1 of 3)	Dec. 19, 1988
Mr. Franco Calvise	Rink Attendant I (D-9)	Culture & Recreation	replacing Mr. E. Rodek - promoted	\$12.192 to \$12.392	\$12.392 per hour (2 of 2)	Nov. 28, 1988
Mr. Ivan L. Carter	Assistant Manager, Property Maintenance (I)	Property	replacing Mr. D. Ingalls - returned to former position	\$45,102.20 to \$53,144.52	\$45,102.20 per annum (1 of 5)	Dec. 19, 1988
Ms. Juliet Chow	Clerk Typist I (E-3)	Treasury	replacing Ms. J. Collins - promoted	\$361.95 to \$391.04	\$361.95 per week (1 of 3)	Aug. 31, 1988
Ms. Lorraine Clairmont	Typist Clerk II (E-2)	Building	replacing Ms. C. Thompson - resigned	\$339.51 to \$365.75	\$339.51 per week (1 of 3)	Dec. 5, 1988
Mr. Vince DiPietro	Senior Property Officer/Appraiser	Property	replacing Mr. N. Li - resigned	\$659.99 to \$755.21	\$693.17 per week (3 of 6)	Dec. 29, 1988
Mr. Alberto Filice	Foreman/Woman I (Districts) (11-C)	Public Works	replacing Mr. J. Buzait - promoted	\$31,351.84 to \$37,523.20	\$37,523.20 per annum (3 of 3)	Nov. 28, 1988

Prepared 06 January 1989

Appendix "A" as referred
to in Section 3 of the
FIRST Report for 1989
of the Personnel
Committee

**THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. William Janssen	General Manager, Municipal Non-Profit (Hamilton) Housing Corporation	Community Development	replacing Ms. R. Campbell - resigned	\$43,145.96 to \$50,862.24	\$44,993.52 per annum (2 of 5)	Dec. 26, 1988
Ms. Linda J. Juchniwicz	Traffic Checker (B-3)	Traffic	replacing Mr. J. Manta - promoted	\$407.68 to \$451.95	\$407.68 per week (1 of 4)	Dec. 05, 1988
Mr. Brian R. Keenan	Motor Mechanic Helper (D-9)	Central Garage (division of Public Works)	replacing Mr. C. Newell - promoted	\$12.192 to \$12.392	\$12.192 per hour (1 of 2)	Dec. 12, 1988
Mr. Derrick J. Lariviere	Equipment Mechanic II (D-11)	Central Garage (division of Public Works)	replacing Mr. G. Kudlowich - promoted	\$12.391 to \$12.591	\$12.391 per hour (1 of 2)	Dec. 05, 1988
Mr. Basil Maraj	Foreman/Woman II (Districts) (12-C)	Streets & Sanitation (division of Public Works)	replacing Mr. A. Filice - promoted	\$28,976.48 to \$34,604.96	\$34,604.96 per annum (3 of 3)	Nov. 28, 1988
Ms. Deborah Marsh	Junior Payroll Clerk (A-5)	Treasury	replacing Ms. E. Maloney - resigned	\$438.55 to \$515.09	\$438.55 per week (1 of 5)	Dec. 05, 1988
Ms. Carolyn Melia	Sales Executive (12)	Convention Centre (division of H.E.C.F.I.)	replacing Mr. S. Farrauto - promoted	\$27,278.68	\$27,278.68 per annum	Dec. 27, 1988
Ms. Donna M. Morrison	Cleaner (C-1)	Property	replacing Ms. G. Goodman - retired	\$8.533	\$8.533 per hour	Dec. 05, 1988

Prepared 06 January 1989

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Tyrone Perry	Foreman/Woman III (Districts) (13-C)	Public Works	replacing Mr. R. Pyne - transferred	\$27,837.68 to \$31,969.90	\$27,837.68 per annum (1 of 3)	Dec. 12, 1988
Mr. Robert G. Pyne	Foreman/Woman III (Districts) (13-C)	Public Works	replacing Mr. B. Maraj - promoted	\$27,837.68 to \$31,969.60	\$29,903.64 per annum (2 of 3)	Nov. 28, 1988
Mr. Dean P. Reid	Traffic Serviceman/ Woman II (A-3)	Traffic	replacing Mr. D. Crabbe - promoted	\$394.30 to \$447.93	\$394.30 per annum (1 of 4)	Nov. 21, 1988
Ms. Margot Smeenk	Traffic Design Engineer (K)	Traffic	replacing Mr. B. Malone - promoted	\$38,038.00 to \$44,776.16	\$38,038.00 per annum (1 of 5)	Dec. 29, 1988
Mr. Steve B. Teal	Building Inspector (A-12)	Building	replacing Mr. B. Reilly - resigned	\$588.12 to \$689.97	\$588.12 per week (1 of 5)	Nov. 28, 1988
Ms. Kim A. Turner	Junior Accounting Clerk (6)	Copps Coliseum (division of H.E.C.F.I.)	replacing Ms. P. Smith	\$18,800.08	\$18,800.08 per annum	Dec. 12, 1988

Prepared 06 January 1989

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. George A. Bland	Firefighter	Fire	Retired	35 years	December 31, 1988
Mr. David W. Hildrop	Lieutenant	Fire	Retired	35 years, 7 months	November 30, 1988
Mr. Norman MacPherson	Captain	Fire	Retired	30 years, 6 months	December 31, 1988
Ms. Eileen Maloney	Junior Payroll Clerk	Treasury	Resigned	9 years, 4 months	December 02, 1988
Mr. Thomas McDade	Lieutenant	Fire	Retired	34 years, 3 months	November 30, 1988
Ms. Margaret McGford	Booking Co-ordinator/ Secretary	Convention Centre (division of H.E.C.F.I.)	Resigned	1 year, 2 months	December 16, 1988
Mr. Wesley Smith	Truck Driver	Public Works	Retired	7 years, 2 months	December 02, 1988
Mr. William Taylor	Firefighter	Fire	Retired	30 years, 6 months	December 31, 1988
Mr. Steve J. Vanderveen	Probationary Firefighter	Fire	Terminated	6 weeks	November 30, 1988

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its THIRD Report for 1989 and respectfully recommends:

1. That the cost of fabricating and installing crew cabs for two new sanding units, No. 9687 and No. 9688, at a cost of \$6 000 each for a total of \$12 000, be charged to Account No. 0280-01 - Reserve for Replacement of Mobile Equipment.
2. That a purchase order be placed with Lilo Products, Hamilton in the total amount of \$95 548.50 for various janitorial paper in accordance with specifications issued by the Manager of Purchasing and unit price in Vendor's tender.

Note: Lowest of four (4) tenders received. Funds provided in various accounts.

3. That the City exercise its option to extend the existing agreement with Skylight Window Cleaning Company, Hamilton, to wash windows at various civic buildings, including City Hall originally approved as Section 5 of the TENTH Report of the Finance Committee for 1987 and approved by City Council 1987 July 23.

Note: Only acceptable tender received. Funds provided in various accounts. The following are the rates approved by City Council 1987 July 23.

	<u>First Term ending December 31, 1988</u>	<u>Second Term ending December 31, 1991</u>
Various Civic Buildings	\$43 087.15	\$69 096.58
City Hall	27 737.15	44 962.23

4. That purchase orders be issued for the supply and delivery of safety shoes, boots, and rubber footwear as and when required by Purchasing Stores in 1989, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders as follows:

(a) Emille Shoes Limited, Burlington

safety shoes	\$39.97 pair
winter safety boots 10"	29.38 pair

(b) Tatra Shoe Manufacturing, Dunnville

safety boots 6"	\$35.00 pair
safety boots 8" insulated	47.00 pair
safety boots 8" non-insulated	39.95 pair

provincial sales tax extra at 8%

Note: (a) Lowest of seven (7) tenders received.

(b) Lowest of six (6) tenders received.

Funds provided in Stores Inventory Account No. CH56103 28999.

5. That a purchase order be issued to Charles Jones Industrial Ltd., Stoney Creek in the amount of \$28 560.41 for the supply and delivery of shovels, rakes, forks, hoes, etc., as and when required by Purchasing Stores in 1989, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest acceptable of seven (7) tenders received. Funds provided various stock inventory accounts.

6. That the City exercise its option to extend the existing agreement with General Tire (formerly Astro Tire) Hamilton, for the supply of tires and tire maintenance as outlined in the schedule of rates for the Third Term of the agreement originally approved by City Council in adopting Section 8 of the NINETEENTH Report for the 1986 Finance Committee.

Note: Lowest of four (4) tenders received. Funds provided in various accounts. The following are the prices approved by City Council in 1986.

Rates for First 12 Months

Tire Maintenance	\$ 3 500 per month
Emergency Calls	38 per emergency call
Tires, approximately	34 352
	All Plus 7% P.S.T.

Second Term

Tire Maintenance
Tires

No Increase
4% Increase

Third Term

Tire Maintenance
Tires

5% Increase
5% Increase

7. That the City exercise its option to extend the existing agreement with Gillies Guy, Hamilton for the supply and delivery of domestic fuel as and when required to various departments originally approved as Section 2 of the THIRTEENTH Report of the 1988 Finance Committee and approved by City Council 1988 October 30.

Note: Lowest of two (2) quotations received. Funds provided in various accounts. The following are the prices approved by City Council 1988 October 30.

No. 2 Furnace Oil

.1825 per litre

Stove Oil

.1925 per litre

Based on Toronto Rack Price, subject to change in taxes and the published price in the Oil Buyers' Guide.

8. That a purchase order be issued to Contran Mfg. (1982) Ltd., London for the supply and delivery of a command post/hazardous materials unit in accordance with Vendor's proposal for a total sum of \$154 845.73.

Note: Only acceptable proposal. Funds available in Replacement of Vehicle Account No. RF 55002-25201.

9. That a purchase order be issued to Data Terminal Sales, Hamilton, in the amount of \$20 719.80 for the purchase of three (3) electronic cash registers for the Treasury Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

Note: Lowest of four (4) quotations received. Funds provided in Motorized Equipment Account No. 0280-31.

As these machines are required prior to the first 1989 tax bill notices being sent out, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

10. That a purchase order be issued to Meszaros Wrecking, Brantford in the amount of \$27 000 to supply all labour and equipment necessary for the demolition of 405, 407, 409 and 411 Sherman Avenue North, Hamilton in accordance with specifications issued by the Manager, Real Estate Division and Vendor's quotation.

Note: Lowest of three (3) quotations received. Funds provided in Enclaves Clearance Programme Account No. 0408-W75266.

Because this work cannot be approved by City Council until late January 1989, there will be additional security costs and continually boarding up of the property for protection of the property and citizens, this order has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

11. (a) That authorization be given for the Corporation of the City of Hamilton to enter into a Parts and Labour Service Agreement with Bell Canada to maintain the City's telephone system in City Hall from 1988 October 16 to 1989 October 15 on a "fee for service" basis at a total estimated cost of \$50 000.
- (b) That the Mayor and City Clerk be authorized to execute the Service Agreement on behalf of the City, which Agreement shall be in a form satisfactory to the City Solicitor.
12. (a) That the City of Hamilton renew the lease of 5 032.75 square feet on the first floor of 74 Hughson Street South with the Canadian Mental Health Association for a period of three years commencing 1988 December 01 and terminating 1991 November 30; and
- (b) That the Mayor and City Clerk execute a lease document satisfactory to the City Solicitor.

Note: The Rent Schedule for the aforementioned space is calculated as follows:

5 032.75 square feet @ \$11.50 per square foot per annum \$57 876.62
to be paid in advance in equal monthly installments of \$4 823.05 on the first day of each month commencing 1988 December 01. The aforementioned rent includes taxes which amounted to \$10 130.27 for 1988.

In addition to rent paid by the Canadian Mental Health Association, it is responsible for their proportionate share of the increase in operating costs and realty taxes over the Base Year of 1988.

Included in the rent paid are the availability of ten parking spaces.

The Canadian Mental Health Association will also cost share with the Regional Health Department for the parking lot snow removal as well as the costs incurred to provide the building's security system.

The lease shall contain a clause whereby the City upon one year's written notice may terminate the lease.

13. That the prelevy residential and non-residential mill rates for 1989 be established at figures slightly below 50% of the 1988 respective mill rates as follows:

(a) (i) That a real property tax prelevy mill rate of 149 mills be established for 1989 to be billed in two installments of 74.5 mills each, payable 1989 February 28 and March 31. This prelevy rate represents 49.794% of the 1988 residential mill rate.

(ii) That a business tax prelevy mill rate of 176 mills be established for 1989 to be billed in one installment, payable 1989 February 28. This prelevy rate represents 49.994% of the 1988 non-residential mill rate.

(b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton-Wentworth, based on approximately 50% of the 1988 charge to be billed in two equal installments, payable 1989 February 28 and March 31.

14. That the user fee for the purchase of bus passes and tickets for Group "A" (Disabled and Handicapped Persons) be increased from \$25 to \$28 per month (bus passes) and 65 cents to 70 cents per ticket effective for the sale of bus passes for March 1989 and tickets 1989 February 01.

15. That the user fee for the purchase of an annual bus pass for senior citizens (age 70 and over) be increased from \$28.75 to \$30 annually (from \$2.40 to \$2.50 per month) effective for the renewal of annual bus passes valid from 1989 April 01 to 1990 March 31.

Note: The 1989 - 1990 annual bus pass will be available only to those seniors who were in receipt of a pass which expired 1989 March 31.

16. That the Treasurer be authorized to prepare the necessary by-law for the authorization to borrow monies to pay off bank overdrafts for 1989, as and when they arise for current expenditures to a maximum of \$8 000 000.

17. That a policy be established whereby the City of Hamilton shall not provide funding for heritage conservation, protection and preservation for properties not owned by the City of Hamilton.

Note: For the information of the members of City Council, all funds for the protection, preservation and restoration of historic buildings are provided by the Ontario Heritage Foundation. Additional funding is received by the Ontario Heritage Foundation from the owners of the property. To date, the City of Hamilton has never provided such funding except for its own properties.

18. That the Summary Report attached hereto as APPENDIX "A" containing a listing and amounts of approved Settlement of Claims be received and that a copy of approved Settlement of Claims be forwarded to City Council for information in accordance with approved policy.

19. That leave be granted to introduce the following Bill:

Bill G-1

By-law to Authorize the Borrowing of
\$8 000 000 to Finance Bank Overdrafts as
and when they Arise from Current Expenditures.

Respectfully Submitted

Alderman W. M. McCulloch, Chairman
Finance Committee

John Thompson, Secretary
1989 January 24

mjw

APPENDIX "A" as
referred to in
Section 18 of the
THIRD Report of the
Finance Committee

FINANCE COMMITTEE

SUMMARY OF APPROVED SETTLEMENT OF CLAIMS

<u>PLAINTIFF</u>	<u>DEFENDANT</u>	<u>NATURE OF CLAIM</u>	<u>AMOUNT OF SETTLEMENT</u>
Marjorie Dunnville	City of Hamilton	Trip and Fall 1988 May 09	\$ 612.58
Vlad Associates	City of Hamilton and Kuczerepa	Subrogated Workers' Compensation Board Claim 1986 August 22	\$4 200.00

REPORT OF THE INFORMATION SYSTEMS COMMITTEE

The Information Systems Committee met at 9:30 o'clock a.m. on Thursday, 1989 January 26 in the Committee Room, 15th Floor, Regional Offices.

Present: Chairman (Councillor) J. Gallagher
Councillor S. Napper
Councillor M. Kiss
Councillor G. Copps
Councillor A. Sloat

Members of Council:

The Information Systems Committee presents Report 1-89.

1. APPOINTMENT OF PERMANENT SECRETARY AND COMMITTEE MEETING SCHEDULE

Your Committee recommends:

- (a) That John D. Thompson, Legislative Assistant, City Clerk's Department be appointed permanent secretary of the Information Systems Committee.
- (b) That approval be given to the calendar of meeting dates for the Information Systems Committee as detailed on the attached Schedule "A".

Agenda Item #2

Respectfully Submitted,

J. Gallagher, Chairman

John Thompson, Acting Secretary
1989 January 26

FOR THE INFORMATION OF COUNCIL

(a) MINUTES

The minutes of the meeting of the Information Systems Committee held 1988 October 27 were received and adopted as presented.

Agenda Item #1

(b) PRESENTATION BY DIRECTOR OF INFORMATION SYSTEMS

The Committee received a presentation concerning the history of information technology and the challenging aspects of Information Systems Services in the 1990's. The presentation also included an overview of the major Information Systems Projects currently underway and an outline of the Management plan for the Department.

Agenda Item #3

(c) EMPLOYEE COMPUTER LITERACY INCENTIVE PROGRAMME

This item was referred to the Regional and City Solicitor's for a legal opinion on possible conflicts of interest of employees and elected representatives with respect to the current corporate purchasing policy and code of ethics.

(d) 1989 - 1993 CAPITAL BUDGET SUBMISSION FOR THE CITY OF HAMILTON

This item was referred to the City of Hamilton Co-ordinating Committee for consideration in the 1989 - 1993 Capital Budget.

Agenda Item #5

(e) The following items were received for information:

(i) Status of Information Systems Re-organization

Agenda Item #6

(ii) Co-ordination of Information Systems and Related Projects for the Region and City

Agenda Item #7

Schedule "A"

Information Systems Committee

Schedule of Meetings for 1989

(Thursday prior to the last Tuesday of each month)

Regional Offices
15th Floor Committee Room
9:30 o'clock a.m.

January 26

February 23

March 23

April 20

May 25

June 22

July 20

August 24

September 21

October 26

November 23

December --

Schedule "A" as referred
to in Section 1 of
Report 1-89 of the
Information Systems
Committee

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Authorize:

AN ADDITIONAL EXPENDITURE FOR THE CONSTRUCTION OF
A NEW PUBLIC WORKS YARD AT OR NEAR TURNER FARM
ON RYMAL ROAD EAST TO SERVE DISTRICTS 3, 4 AND 5
AND MOUNT HAMILTON CEMETERY

WHEREAS the Ontario Municipal Board, by Order dated the 29th day of May 1987, (File No. E 870317) approved,

- (a) the construction of a new Public Works Yard at or near Turner Farm on Regional Road East to serve Districts 4 and 5 (Streets Division), District 3 (Parks Division) and Mount Hamilton Cemetery at an estimated cost of \$2,007,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$1,757,000.00 for a term not to exceed fifteen years by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation;

AND WHEREAS By-law No. 87-194, passed on the 28th day of July 1987, authorized proceeding with the construction of a new Public Works Yard and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 29th day of May 1987;

AND WHEREAS the Ontario Municipal Board by Order dated the 21st day of September 1988 (File No. E 870317) approved,

- (c) an additional expenditure of \$393,000.00 covering an additional estimated cost of this amount, and the borrowing of money by way of temporary advances not exceeding in the aggregate such additional estimated cost pending the sale of debentures, and
- (d) the issuance of additional debentures in the amount of \$393,000.00, by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS By-law No. 88-255, passed on the 8th day of November 1988, authorized proceeding with the construction of a new Public Works Yard and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 21st day of September 1988;

AND WHEREAS the Ontario Municipal Board by Order dated the 1st day of December, 1988 (File No. E 870317) amended the two previous Orders dated the 29th day of May 1987 and the 28th day of July, 1987, by deleting from the third line of subsection (a) of the style of cause of each of the said Orders the word "Regional" and inserting in lieu thereof the word "Rymal"; and approved,

- (e) an additional expenditure of \$350,000.00 covering an additional estimated cost in this amount provided that said additional expenditure of \$350,000.00 be financed by current revenues and reserves and not by debentures;

AND WHEREAS it is now intended to proceed with the construction of a new Public Works Yard in accordance with the total expenditure as approved by the Ontario Municipal Board, and to amend By-laws No. 87-194 and 88-255, in accordance with the Order of the Ontario Municipal Board dated the 1st day of December, 1988.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the construction of a new Public Works Yard at or near Turner Farm on Rymal Road East to serve Districts 4 and 5 (Streets Division), District 3 (Parks Division) and Mount Hamilton Cemetery, may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 29th day of May 1987, as amended by the Orders of the Ontario Municipal Board dated the 21st day of September 1988 and the 1st day of December, 1988.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

3. (a) By-laws No. 87-194 and 88-255 are amended by deleting the words "Regional Road East" in the title, in clause (a) of the first recital, and in section 1 of each by-law, and substituting in lieu thereof the words "Rymal Road East".

(b) In all other respects, By-laws No. 87-194 and 88-255 are hereby confirmed, unchanged.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1987) 5 R.E.C. 7, March 10
(1988) 14 R.E.C. 9, June 28
(1988) 19 R.E.C. 1, October 25

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Authorize:

THE ERECTION OF AN 80 FOOT SALT DOME
AT THE NEW B.A. COURT YARD TURNER FARM AND
THE PURCHASE OF A TS 150 TERRA SAEEN SCREENING PLANT

WHEREAS the Ontario Municipal Board, by Order dated the 29th day of May, 1987 (File No. E 870318), approved,

- (a) the erection of a 72 foot diameter salt dome structure in each of District 2 Yard (Ferguson Yard) and District 3 Yard (Brampton Yard) at an estimated cost of \$310,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$310,000.00 for a term not to exceed fifteen years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS By-law No. 87-195, passed on the 28th day of July, 1987, authorized proceeding with the erection of a 72 foot diameter salt dome structure in each of District 2 Yard (Ferguson Yard) and District 3 Yard (Brampton Yard) and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 29th day of May, 1987;

AND WHEREAS the Ontario Municipal Board by Order dated the 21st day of September, 1988 (File No. E 870318) approved,

- (c) an additional expenditure of \$152,000.00 covering an additional estimated cost of this amount and the borrowing of money by way of temporary advances not exceeding in the aggregate such additional estimated cost, and
- (d) an amendment to the said previous order of the Board dated the 29th day of May, 1987, by deleting from sub-section (a) of the style of cause of such previous order the following:

"the erection of a 72 foot diameter salt dome structure in each of District 2 Yard (Ferguson Yard) and District 3 Yard (Brampton Yard)"

and inserting in lieu thereof

"the erection of an 80 foot salt dome at the new B.A. Court Yard at the Turner Farm and the purchase of TS 150 Terra Saeen Screening Plant (or approved equal) with appropriate modifications";

AND WHEREAS the Ontario Municipal Board by Order dated the 6th day of December, 1988 (File No. E 870318) approved,

- (e) the rescinding of the said previous order dated the 21st day of September, 1988, in its entirety, and

- (f) an amendment to the said previous order of the Board dated the 29th day of May, 1987, to include in sub-section (a), fifth line of the style of cause, after the words "(Brampton Yard)" the words "and the construction of an 80 foot salt dome and the purchase of a TS 150 Terra Saeen Screening Plant";

AND WHEREAS it is intended to proceed with the erection of an 80 foot salt dome and the purchase of a TS 150 Terra Saeen Screening Plant in accordance with the total expenditure as approved by the Ontario Municipal Board.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the erection of an 80 foot salt dome at the new B.A. Court Yard at the Turner Farm and the purchase of TS 150 Terra Saeen Screening Plant (or approved equal) with appropriate modifications may now proceed in accordance with the Order of the Ontario Municipal Board dated the 29th day of May, 1987, as amended by the Order of the Ontario Municipal Board dated the 6th day of December, 1988.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1987) 5 R.E.C. 8, March 10
(1988) 16 R.E.C. 5, August 30

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Authorize:

CONSTRUCTION OF A NEW TRAFFIC OPERATIONS BUILDING

WHEREAS the Ontario Municipal Board, by Order dated the 29th day of November 1988, (File No. E 881385) approved,

- (a) the construction of a new traffic operations building at an estimated cost of \$6,830,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures to a maximum of \$2,390,000.00 for a term not to exceed fifteen years by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS it is now intended to proceed with the construction of a new traffic operations building in accordance with the total expenditure as approved by the Ontario Municipal Board, in accordance with the Order of the Ontario Municipal Board dated the 29th day of November 1988.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the construction of a new traffic operations building may now be proceeded with in accordance with the Ontario Municipal Board Order dated the 29th day of November 1988.

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this day of A.D. 1989.

City Clerk

Mayor

BY-LAW NO. 89 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 31st DAY OF JANUARY A.D., 1989.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1989

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 88-

TO AUTHORIZE:

Additional expenditure for the construction of local improvements of concrete alleys:

- 1) First south of Bristol Street from Sanford Avenue to Minto Avenue;
- 2) First north of Primrose Avenue from Gage Avenue to Avondale Avenue; and
- 3) in the block bounded by Cedar Street, Afton Avenue, Prospect Street and Cumberland Avenue as described in Schedule "A"

WHEREAS the Ontario Municipal Board, by Order dated the 26th day of March, 1986 (File No. E860041) approved,

- (a) the construction of concrete alleys:
 - 1) First south of Bristol Street from Sanford Avenue to Minto Avenue;
 - 2) First north of Primrose Avenue from Gage Avenue to Avondale Avenue; and
 - 3) in the block bounded by Cedar Street, Afton Avenue, Prospect Street and Cumberland Avenue, as a local improvement, pursuant to s. 11 of the Local Improvement Act, R.S.O. 1980, c. 250, as amended, at an estimated cost of \$64,710.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debenture, and
- (b) the issuance of the necessary debentures to a maximum of \$64,710.00 for a term not to exceed fifteen (15) years by the Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation;

AND WHEREAS By-law No. 86-188, passed on the 25th day of June, 1986, authorized proceeding with the construction of the said local improvements and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 26th day of March, 1986;

AND WHEREAS the Ontario Municipal Board, by Order dated the 27th day of January, 1987, (File No. E860041) approved,

- (c) an additional expenditure of \$1,633.38 covering an additional estimated cost of this amount, and the borrowing of money by way of temporary advances not exceeding in the aggregate such additional estimated cost pending the sale of debentures;
- (d) an amendment to said previous Order dated the 26th day of March, 1986, by replacing Schedule "A" annexed thereto with Schedule "A" annexed to this Order dated the 27th day of January, 1987.

AND WHEREAS the Ontario Municipal Board, by Order dated the 19th day of August, 1988, (File No. E860041) approved,

- (e) an additional expenditure of \$13,530.00 covering an additional estimated costs of this amount, and the borrowing of money by way of temporary advances not exceeding in the aggregate such additional estimated cost pending the sale of debentures.
- (f) the issuance of additional debentures in the amount of ~~\$35~~¹³,530.00, and
- (g) an amendment to the said previous Order of the Board dated the 27th day of January, 1987, by replacing Schedule "A" thereto with Schedule "A" annexed hereto.

AND WHEREAS it is intended to proceed with the construction of the said local improvements in accordance with the total expenditure and total debentures to be issued as approved by the Ontario Municipal Board.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works, more particularly described in Schedule "A" annexed hereto and forming part of this by-law, may be proceeded with under the Local Improvement Act, at an estimated cost not to exceed \$79,873.38, in accordance with the Ontario Municipal Board Order dated the 26th day of March, 1986 as amended by Order of the Ontario Municipal Board dated the 27th day of January, 1987, and further amended by Order dated the 19th day of August, 1988.
2. The share or portion of the estimated cost of the works in the amount of \$19,011.50 shall be borne by the owners of the lands abutting directly on the works and the estimated cost per metre shall be rated as set out in Schedule "A", annexed hereto and forming part of this By-law, provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
 - (a) to the extent sufficient to provide an amount not exceeding \$79,873.38; and
 - (b) repayable over a term not exceeding fifteen (15) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Regional Engineering is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and
 - (b) supervise construction of the works.

5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this

day of

A.D. 1988.

City Clerk

Mayor

(1985) 1 R.T.E.C. 18, December 10
(1985) 1 R.F.C. 1, December 10
(1985) 1 R.F.C. 2, December 10
(1985) 1 R.F.C. 3, December 10
(1986) 15 R.T.E.C. 39, August 26
(1986) 17 R.E.C. 5, August 26

SCHEDULE 'A'

The Construction of CONCRETE ALLEYS on:

1. First south of Bristol Street running from Sanford Avenue to Minto Avenue;
2. First north of Primrose Avenue running from Gage Avenue to Avondale Avenue; and
3. in the block bounded by Cedar Avenue, Afton Avenue, Prospect Street and Cumberland Avenue at the cost not exceeding those set out below:

City's Share	\$60,861.88
Owners' Share	<u>19,011.50</u>
Total Estimated cost	<u>\$79,873.38</u>

Estimated Cost per metre frontage	\$ 47.00
-----------------------------------	----------

Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 89-

TO INCORPORATE PART 3, PLAN 62R-9295
INTO UPPER HORNING ROAD

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Upper Horning Road by incorporating within its limits the lands described in Schedule "A" hereto:

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Upper Horning Road.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1987) 11 R.T.E.C. 23, July 28

SCHEDULE 'A'

Part of Lot 55, Concession 3
Geographic Township of Ancaster
designated as PART 3, Plan 62R-9295
City of Hamilton
Regional Municipality of Hamilton-Wentworth

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 89-

TO INCORPORATE BLOCK 72, PLAN 62M-577
INTO BONAPARTE WAY

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it expedient to alter a portion of the highway known as Bonaparte Way by incorporating within its limits the lands described in Schedule "A" hereto;

AND WHEREAS the said lands are owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The lands described in Schedule "A" appended hereto are hereby established and laid out as a public highway to form part of Bonaparte Way.
2. The Commissioner of Regional Engineering or his duly authorized agent is hereby authorized to open as public highway the said lands.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1988) 1 R.T.E.C. 20, December 13

SCHEDULE 'A'

Part of Parcel Reserves -1

Section 62M-577

being Block 72 (0.30m Reserve), Plan 62M-577

City of Hamilton

Regional Municipality of Hamilton-Wentworth

being part of the Parcel.

BY-LAW NO. 89 -

TO AMEND BY-LAW NO. 66-100 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding thereto the following items, namely:-

"Glen Vista	Northbound and Southbound	Kingswood
Willowcrest	Eastbound	Bowman
Bowman	Northbound and Southbound	Willowcrest
Federal	Westbound	Berkindale
Ruby	Westbound	Rushdale
Guildwood	Eastbound and Westbound	Green Cedar
Huron	Eastbound	Stirton".

2. Schedule 11 (Yield Right-of-Way Signs) is hereby amended by adding thereto the following item, namely:-

"MacKenzie	Westbound	East 27th".
------------	-----------	-------------

3. Schedule 29 (No Stopping Areas) is hereby amended by adding thereto the following items, namely:-

"Berko	South	commencing at a point 26 feet west of the west curb line of Baroche and extending to a point 82 feet east of the east curb line of Baroche	Anytime
Homewood	North	Dundurn to 310 feet west	7:00 a.m.- 6:00 p.m. Monday to Friday
Aikman	South	Wentworth to 56 feet east	Anytime
Limeridge	North	Bonaventure to 36 feet west	Anytime
Bruceedale	North	Millen to 52 feet east	Anytime."

and by deleting therefrom the following item, namely:-

"Homewood	North	Dundurn to 310 feet west	Anytime."
-----------	-------	--------------------------	-----------

PASSED THIS DAY OF , A.D. 198 .

 CITY CLERK

 MAYOR

PASSED THIS

DAY OF

, A.D. 198 .

CITY CLERK

MAYOR

BY-LAW NO. 89 -

TO AMEND BY-LAW NO. 66-100 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 25 (Parking Time Limits) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding to Section 5 (One Hour Limit) the following item, namely:-

"West	Both	Robert to Cannon".
-------	------	--------------------

2. Schedule 25A (Parking Time Limits) is hereby amended by adding thereto the following subsection, namely:-

"24. One Hour Limit between the hours of 8 o'clock in the forenoon and 5 o'clock in the afternoon on the following streets or parts of streets, excepting such parts of same where parking or stopping is prohibited.

<u>STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Tom	Both	Strathcona to Dundurn".

3. Schedule 25B (Parking Time Limits) is hereby amended:

a) by adding to Section 7 (30 Minute Limit) the following item, namely:-

"Aurora	West	commencing at a point 59 feet north of Charlton to a point 20 feet northerly".
---------	------	---

b) by adding to Section 1 (Three Hour Limit) the following item, namely:-

"Ray	East	Canada to Jackson".
------	------	---------------------

c) by adding to Section 4 (One Hour Limit) the following items, namely:-

"Devonport	Both	Tom to York
Emerald	Both	Wilson to King William".

4. Schedule 26 (No Parking Areas) is hereby amended by adding to Section A (No Parking Anytime) the following items, namely:-

"Tivoli	South	San Remo to westerly end
Heather	South	Woodman to Sunrise
Franklin	South	from the east curb line of Parkview to a point 106 feet easterly
Franklin	North	from a point 70 feet west of the west curb line of the north leg of Parkview to the south leg of Parkview
Parkview	East	Franklin to 56 feet southerly."

and by deleting therefrom the following item, namely:-

"Franklin	North	north leg of Parkview to the south leg of Parkview."
-----------	-------	---

5. Schedule 34 (Sticker Permit Parking) is hereby amended by adding thereto the following item, namely:-

"Province	East	from a point 62 feet north of Cannon to a point 20 feet northerly therefrom	Anytime."
-----------	------	---	-----------

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 120 STONE CHURCH ROAD WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

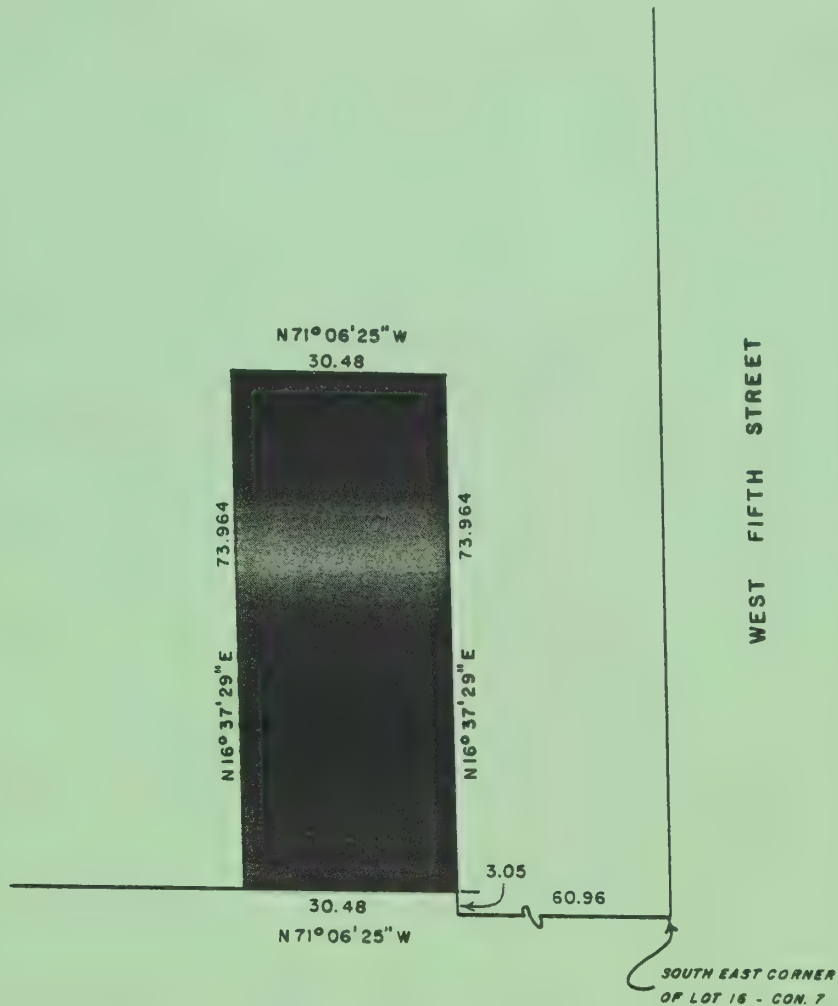
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1988) 1 R.P.D.C. 8, December 13
Irene Lovell, Owner
ZA-88-83



STONE CHURCH ROAD WEST

NOTE: ALL DIMENSIONS
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 8 _____
PASSED THE _____ DAY OF _____


Clerk


Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 89-
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

 CHANGE IN ZONING FROM "AA" (AGRI-
CULTURAL) DISTRICT TO "C" (URBAN
PROTECTED RESIDENTIAL, ETC.)
DISTRICT.

North 	Scale NOT TO SCALE	Reference File No. ZA 88-83
	Date DEC. 19, 1988	Drawn By Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 19 AIKMAN AVENUE

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

(a) notwithstanding Section 11.(1)(iib) of By-law No. 6593, the following RESIDENTIAL USE shall be permitted:

1. a residential care facility for the accommodation of not more than forty-five persons who are not less than 65 years of age;

(b) Section 11.(7) of By-law No. 6593 shall not apply.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-953a.

4. Sheet No. E-22 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-953a.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

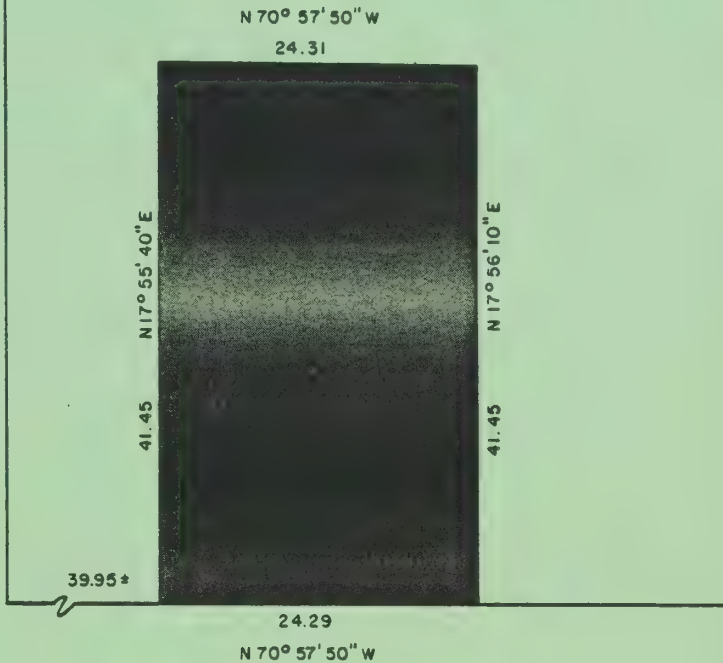
PASSED this day of A.D. 1989.

City Clerk

Mayor

(1988) 1 R.P.D.C. 11(B), December 13
Diton Construction, Owner
Amended ZA-88-42

WENTWORTH STREET SOUTH



AIKMAN AVENUE

NOTE: ALL DIMENSIONS
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 89 - _____
PASSED THE _____ DAY OF _____

Clerk

Mayor


CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 89 -
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



LANDS TO BE REGULATED
BY BY-LAW NO.

North 	Scale NOT TO SCALE	Reference File No. ZA 88-42
	Date DEC. 20, 1988	Drawn By Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 2289 BARTON STREET EAST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "JJ" (Restricted Light Industrial) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 16A(1) of By-law No. 6593, the following COMMERCIAL USES shall be permitted within the building existing at the time of the passing of this by-law, provided that the retail sales area shall not exceed 50% of the total gross floor area:

<u>Use</u>	<u>S.I.C. Identification</u>
1. Second-hand Merchandise Stores	6591
2. Tire, Battery, Parts and Accessories Stores	6342
3. Muffler Replacement Shops	6353
4. Other Motor Vehicle Repair Shops	6359
5. Automobile and Truck Rental and Leasing Services	9921
6. Janitorial Services	9953
7. Computer Services	7721
8. Household Furniture Stores (with appliances and furnishings)	6211
9. Household Furniture Stores (without appliances and furnishings)	6212
10. Appliance, Television, Radio and Stereo Stores	6221
11. Floor Covering Stores	6231
12. Drapery Stores	6232
13. Industrial Machinery and Equipment Rental and Leasing	9911
14. Office and Store Machinery, Equipment and Supplies, Wholesale	5791

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "JJ" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-449b.

4. Sheet No. E-103 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-449b.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

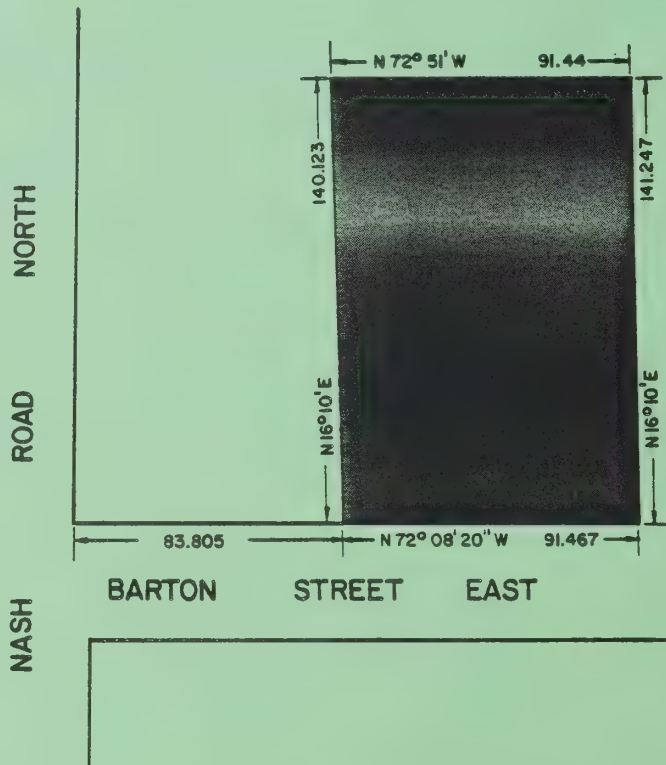
PASSED this day of

A.D. 1989.

City Clerk

Mayor

(1988) 21 R.P.D.C. 11, October 25
373272 Ontario Limited, Owner
ZA-88-21



NOTE: ALL DIMENSIONS
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 8
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF
BY-LAW NO. 8

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



LANDS TO BE REGULATED
BY BY-LAW No. 8

North



Scale
NOT TO SCALE

Date
OCT. 27, 1988

Reference File No.

ZA-88-21

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 205 NEBO ROAD

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-14" (Prestige Industrial) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding Section 17F(1)(b) of By-law No. 6593, the following COMMERCIAL USE shall be permitted:

<u>Commercial Use</u>	<u>Identification Number</u>
1. Paint and Body Repair Shop.	6352

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-14" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1093.

4. Sheet No. E-59D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1093.

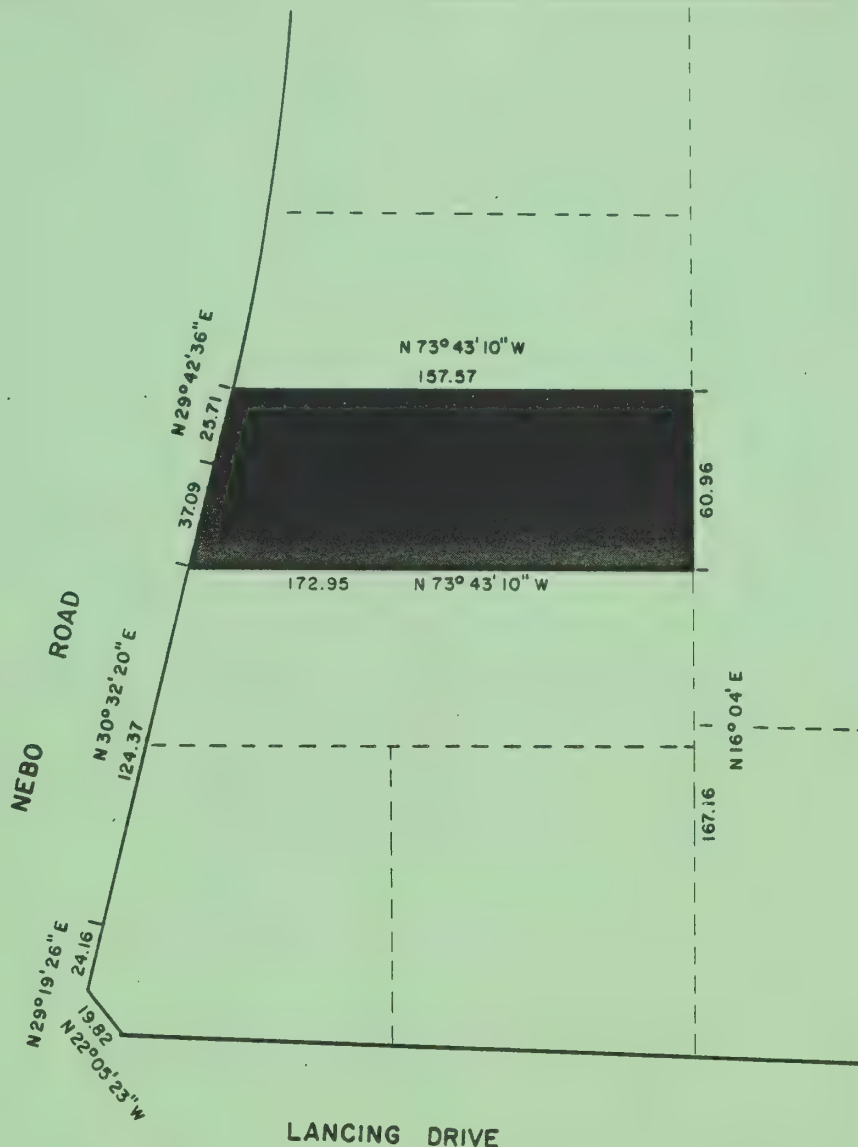
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1988) 20 R.P.D.C. 10, October 11
Luigi and Maria Del Sordo, Owners
ZA-88-60



NOTE: ALL DIMENSIONS
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 8
PASSED THE _____ DAY OF _____


Clerk


Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 8
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

 LANDS TO BE REGULATED
BY BY-LAW NO. 8

North 	Scale NOT TO SCALE	Reference File No. ZA-88-60
	Date OCT. 5, 1988	Drawn By Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 66 AND 70 KENNEDY AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1989) 3 R.P.D.C. 11, January 10
Norman and Louise Lewis and
Robert and Marilyn Mueller, Owners
ZA-88-89

CHRISTIE STREET

60.96 N 18° 18' 45" E

N 71° 28' 15" W
36.576

60.96 N 18° 18' 45" E

36.576
N 71° 28' 15" W

KENNEDY AVENUE

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 89-.....
Passed the day of, 1989.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 89-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in Zoning from:



"B"(Suburban Agriculture and Residential,
etc.) District to "C"(Urban Protected
Residential, etc.) District.

North



Scale
NOT TO SCALE

Reference File No.
ZA 88-89

Date
December 1988

Drawn By
Z.K.

297

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1221 STONE CHURCH ROAD EAST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-13" (Prestige Industrial) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding Section 17E(1)(c) of By-law No. 6593, the following COMMERCIAL USE shall be permitted:

<u>Commercial Use</u>	<u>Identification Number</u>
1. Automotive Audio Sales	6342

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-13" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1092.

4. Sheet No. E-59C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1092.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of , A.D. 1989.

City Clerk

Mayor

(1988) 20 R.P.D.C. 7, October 11
Dieter Casper, Owner
ZA-88-59

STREET

OTTAWA

UPPER

N 71° 57' 10" W 38.100

86.258

N 16° 33' 50" E

86.258

N 16° 33' 50" E

N 16° 33' 50" E
5.182

N 71° 57' 10" W 38.100

S.E. CORNER LOT 4 CON. 7

STONE CHURCH ROAD EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 8
Passed the day of , 198

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 8

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 8

North



Scale
NOT TO SCALE

Reference File No.
ZA88-59

Date
October, 1988

Drawn By
A.J.L.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 2783 KING STREET EAST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 68, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth under the Planning Act at the time of the passing of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "AA" (Agricultural) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

(a) notwithstanding Section 7A(1) of By-law No. 6593, the following,

(i) COMMERCIAL USES shall be permitted within the first floor of the building existing on the date of the passing of this by-law;

1. a retail clothing store;

2. a business office;

(ii) ACCESSORY USE shall be permitted in connection with the Commercial Uses referred to in subclause (i):

1. One ground sign, wall sign, or projecting sign with an area of not more than 0.4 square metres (4.31 square feet) non-illuminated or illuminated by non-flashing, indirect, or interior means only, located at least 1.5 metres (4.92 feet) from the nearest street line;

- (b) notwithstanding Section 18A.(1)(a) of By-law No. 6593, not less than 4 parking spaces shall be provided and maintained in the rear yard of the site, and shall be set back not less than 3 metres from the rear lot line;
- (c) a visual barrier measuring 2 metres in height shall be provided and maintained along the rear lot line.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1097.

4. Sheet No. E-106 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1097.

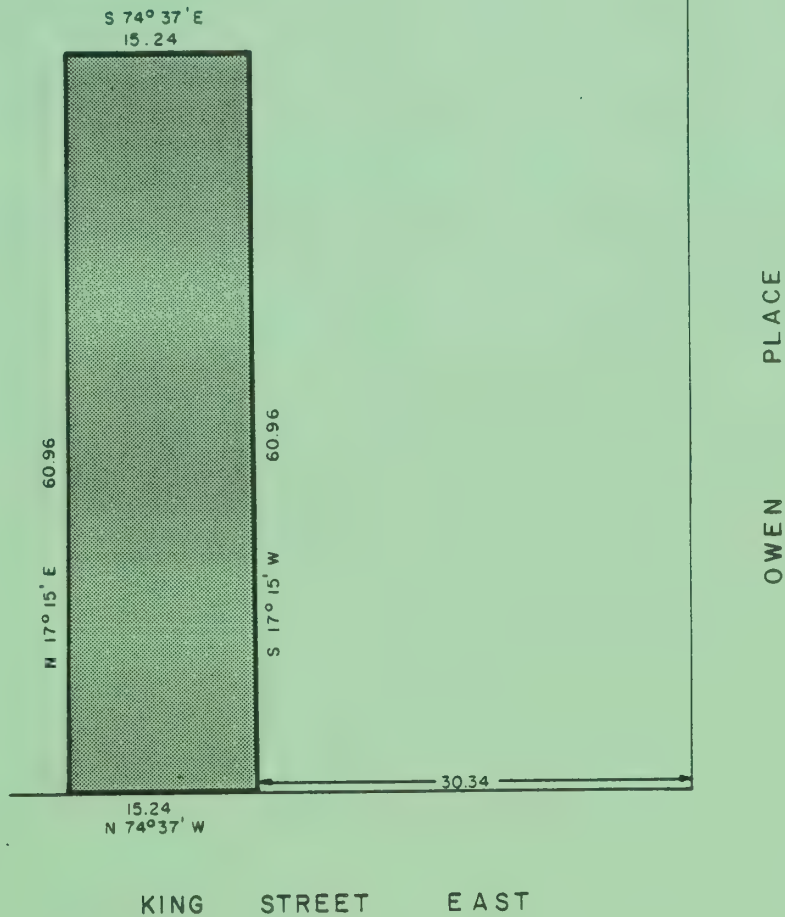
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1988) 21 R.P.D.C. 14(c), October 25
F. J. Barnes, Owner
Amended ZA-87-95



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 8
Passed the day of, 198

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 8

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 8

North



Scale
NOT TO SCALE

Date
October 27, 1988

Reference File No.
ZA 87-95

Drawn By
F.V.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED ON THE WEST SIDE OF CENTENNIAL PARKWAY NORTH,
BETWEEN CONFEDERATION DRIVE AND THE QUEEN ELIZABETH WAY**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6953, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 63, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth under the Planning Act at the time of the passing of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. E-101, E-102 and E-111 of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) District to "F" (Special Waterfront) District, the land comprised in Block 1;
- (b) by changing from "KK" (Restricted Heavy Industrial) District to "F" (Special Waterfront) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "F" (Special Waterfront) District provisions applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 12.(1) of By-law No. 6593, the following COMMERCIAL USES shall be permitted in conjunction with the hotel:

- 1. tavern;
- 2. banquet hall;
- 3. retail stores;
- 4. personal service stores;
- 5. conference/meeting rooms;
- 6. outdoor patio;

- (b) Sections 18.(11)(a) and (b) of By-law No. 6593 shall not apply;

(c) Sections 3.(3), 12.(3), (5) and (6) and 18A. of By-law No. 6593 shall not apply to the power transmission lines.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1089.

5. Sheets No. E-101, E-102 and E-111 are amended by marking the lands referred to in section 1 of this by-law, S-1089.

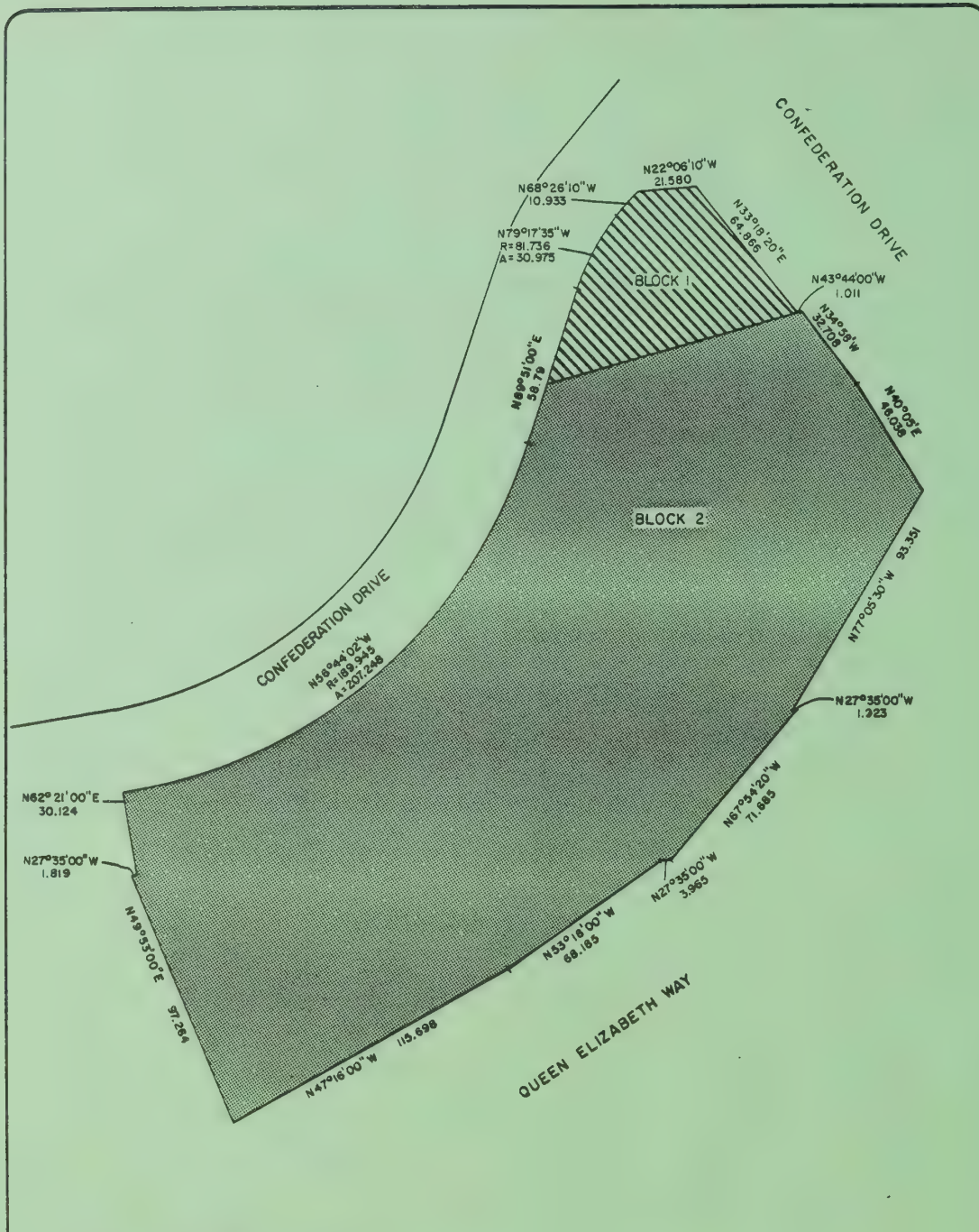
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1988) 17 R.P.D.C. 12(b), August 30
City Initiative 88-E



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 8
 Passed the day of, 198

.....
 Clerk

.....
 Mayor

City of Hamilton

Schedule A

Map Forming Part of
 By-Law No. 8

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

Change in Zoning from:



BLOCK 1

"AA" (Agricultural) District to "F" (Special-Waterfront) District, Modified



BLOCK 2

"KK" (Restricted Heavy Industrial) District to "F" (Special Waterfront) District, Modified

North



Scale
 NOT TO SCALE

Reference File No.
 C. I. 88-E

Date
 September, 1988

Drawn By
 A. P.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Establish:

Site Plan Control

Respecting:

**LANDS LOCATED ON THE WEST SIDE OF CENTENNIAL PARKWAY NORTH,
BETWEEN CONFEDERATION DRIVE AND THE QUEEN ELIZABETH WAY**

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, [now section 40 of The Planning Act, 1983], as amended by By-law No. 87-223, passed on the 28th day of July, 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

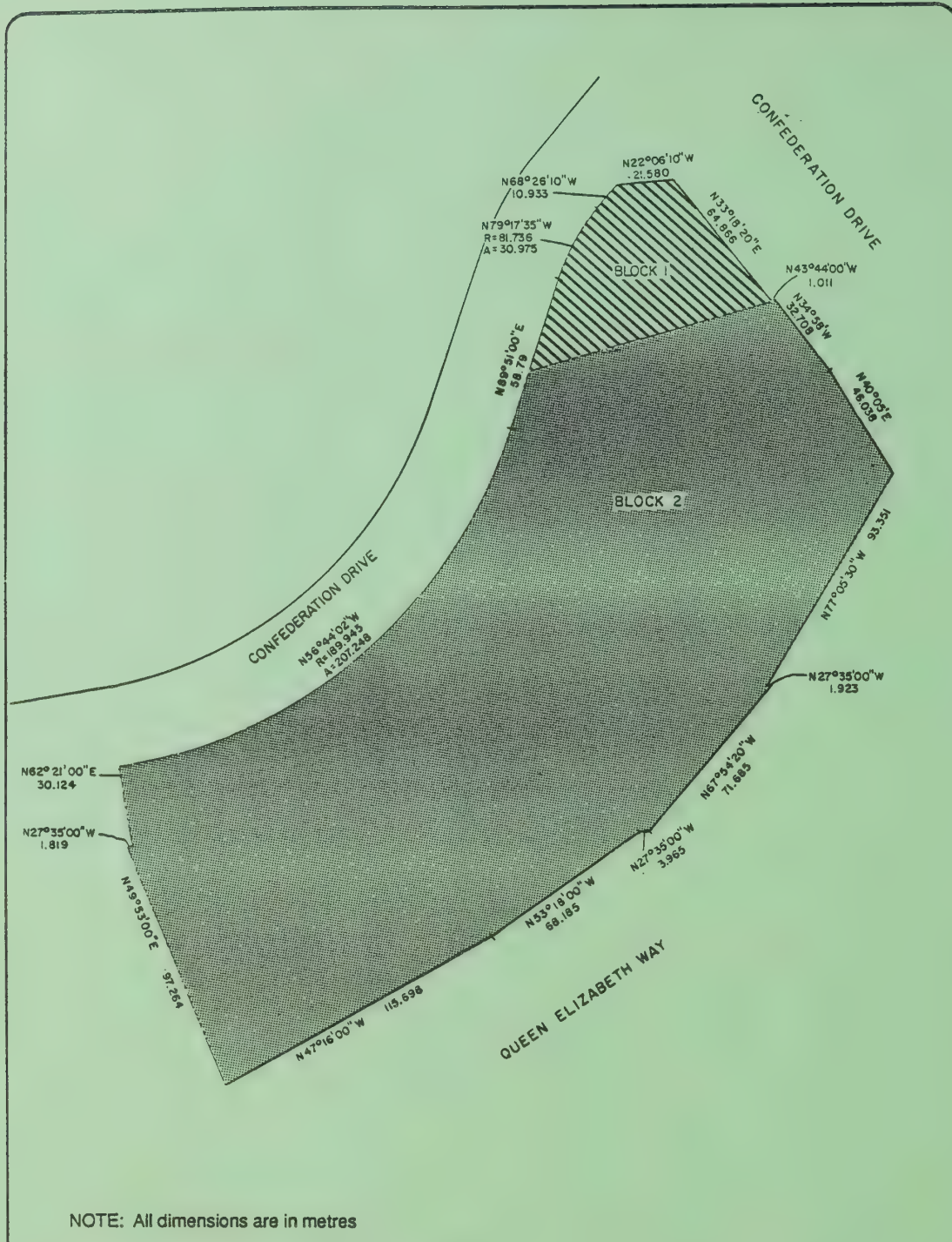
114. Lands located on the west side of Centennial Parkway North, between Confederation Drive and the Queen Elizabeth Way, shown on Appendix 114 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275 as Appendix 114.

PASSED this day of A.D. 1989.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule A to By-Law No. 8
 Passed the day of, 1988

.....
 Clerk

.....
 Mayor

City of Hamilton
Appendix 114
 to By-Law No. 79-275

as Amended by
 By-Law No. 87-223

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend



Lands Designated Under this By-Law
 as an area of Site Plan Control pursuant
 to Section 40 of the Planning Act.

North



Scale
 NOT TO SCALE

Date
 September, 1988

Reference File No.
 C.I.88-E

Drawn By
 A. P.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Repeal:
By-law No. 87-234
and By-law No. 87-294

and

To Amend:
Licensing By-law No. 79-323

Respecting:

FLEA MARKETS

WHEREAS By-law No. 79-323, passed on the 27th day of November, 1979, established "The City of Hamilton Licensing Code, 1979";

AND WHEREAS The City of Hamilton Act, 1987, S.O. 1987, Ch. P1, authorizes the Council of The Corporation of the City of Hamilton to pass by-laws,

- (a) for licensing, regulating, governing and inspecting flea markets or any class of them; and
- (b) for licensing, regulating and governing stands, unless a stand or a vendor at a stand is otherwise licensed by the Corporation and for revoking such licence;

AND WHEREAS By-law No. 87-234 was passed on the 18th day of August 1987, pursuant to The City of Hamilton Act, 1987, to add Schedule 42 to the Licensing By-law No. 79-323 to provide for the licensing and regulating of flea markets;

AND WHEREAS By-law No. 87-294, passed on the 27th day of October 1987, amended Schedule 42 to Licensing By-law No. 79-323, as enacted by By-law No. 87-234;

AND WHEREAS it is now deemed necessary to repeal Schedule 42 as enacted by By-law No. 87-234 and amended by By-law No. 87-294 and to substitute a new Schedule 42 to the Licensing By-law No. 79-323.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule 42 of Licensing By-law No. 79-323, enacted on the 18th day of August 1987 as By-law No. 87-234 and amended on the 27th day of October 1987 by By-law No. 87-294, is hereby repealed in its entirety.

2. By-law No. 79-323 is further amended by adding thereto the following Schedule 42:

SCHEDULE 42

1. In this Schedule,
 - (a) "chief building official" means the chief building official appointed under the Building Code;
 - (b) "flea market" means a place, building, or structure on or in which are situated stands at which trades, callings, businesses or occupations are carried on by separate vendors;
 - (c) "owner" means a person carrying on or engaging in the business or occupation of operating a flea market and includes a manager, operator, agent and representative;
 - (d) "patron" means a person who has entered upon the premises of the flea market;
 - (e) "place" includes land and premises on a part of which a building or structure may or may not be situate;
 - (f) "stallholder" means a person carrying on or engaging in the business or occupation of operating a stand;
 - (g) "stand" means an area in the flea market at which new or used goods are exposed or offered for sale.

2. (1) Every flea market owner shall obtain a licence from the City authorizing the owner to carry on or engage in the business of operating a flea market.

- (2) Every stallholder shall obtain a licence from the City authorizing the stallholder to carry on the business of operating a stand, unless otherwise licensed by the City for the sale of goods offered for sale or sold at a stand.

3. No person referred to in section 2 shall carry on or engage in his or her business or occupation unless a licence has been issued and is in force.

4. Every applicant for a licence, or a renewal of a licence shall attend at the office of the Issuer of Licences and make and file an application in person and not by his or her agent or representative.

5. (1) Every applicant who is a flea market owner shall fully complete an application for a licence.

- (2) Every applicant who is a stallholder shall fully complete an application for a licence.

6. (1) In addition to any other information required under this by-law, every flea market owner shall provide, with his or her application, a suitable site plan of the flea market satisfactory to the chief building official and Licence Committee, showing,
 - (a) the location and dimensions of the place, building or structure and location of stands; and

- (b) the location and number of parking spaces provided for patrons lawfully accommodated.

(2) No licence shall be issued to a flea market owner and no licence shall be renewed to a flea market owner where the owner fails to provide the site plan at the time of application or renewal, in accordance with subsection 1.

7. (1) Every applicant who is a flea market owner shall comply with the following regulations:

1. The flea market must be kept and maintained in an orderly and clean condition, free at all times from debris and waste of any kind.
2. A written list of stallholders, including names, addresses, type or classes of goods which are offered for sale or sold, and the date of the commencement and termination of the use of each stand, must be deposited with the Issuer of Licences at the end of each month.
3. Inspection of the flea market by a Licence Inspector for the purpose of determining compliance with this by-law must be permitted at any reasonable hour.

(2) Every flea market shall be closed at 5:00 in the afternoon on Sunday and remain closed until 10:00 in the forenoon of the following Monday and on all other days shall remain closed from 5:00 in the afternoon until 10:00 in the forenoon of the following day.

8. No licence shall be re-issued or renewed where an owner has failed to comply at any time with any provision of this Schedule.

9. (1) A licence issued under this Schedule shall be for a period of one calendar year.

(2) Every licence shall expire on the last date of the calendar year.

(3) Every licence fee shall be paid for the whole of the year for which the licence is issued.

10. The amount of the licence fee for a licence granted under this Schedule shall be as follows:

1. For an owner with,
 - (a) 1-20 stands.....\$ 523.00;
 - (b) 21-50 stands.....\$1,045.00;
 - (c) 51 or more.....\$1,568.00.
2. For a stallholder.....\$ 52.00.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1988) 1 R.L.C. 8, December 13

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Authorize the Borrowing of \$8,000,000.00 to
Finance Bank Overdrafts as and when
they Arise from Current Expenditures

Whereas the Council of The Corporation of the City of Hamilton (hereinafter called the "Municipality") deems it necessary to borrow the sum of \$8,000,000.00 or lesser amount not cumulative subject to the cumulative total of 70% of the annual uncollected balance of the estimated revenue to pay for temporary bank overdrafts as and when they arise in relation to the current expenditures of the Municipality for the year;

And Whereas the total amount of the estimated revenues of the Municipality as set forth in the preliminary estimates adopted for the year 1989, is \$150,000,000.00;

And Whereas the total of amounts heretofore may be borrowed for the purposes mentioned in Subsection (1) of Section 189 of the Municipal Act, R.S.O. 1980, Chapter 302, as amended;

Therefore the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. The Mayor and the Treasurer are hereby authorized on behalf of the Municipality to borrow from time to time by way of promissory note from the CANADIAN IMPERIAL BANK OF COMMERCE a sum or sums not exceeding the aggregate \$8,000,000.00 to pay off temporary bank overdrafts for the current expenditures of the Municipality for the year, including the amounts required for the purposes mentioned in Subsection (1) of Section 189 of the Municipal Act, and to give on behalf of the Municipality to the Bank a promissory note or notes sealed with the Corporate Seal and signed by the Mayor and Treasurer for the monies so borrowed with interest at such rate as may be agreed upon from time to time with the Bank.
2. All sum borrowed pursuant to the authority of this by-law, as well as all other sums borrowed in this year and in previous years from the said Bank for any or all of the purposes mentioned in the said Section 189, shall, with interest thereon, be a charge upon the whole of the revenues of the Municipality for the current year and for all preceding years as and when such revenues are received.
3. The Treasurer is hereby authorized and directed to apply in payment of all sums borrowed as aforesaid, together with interest thereon, all of the monies hereafter collected or received either on account or realized in respect of taxes levied for the current year and preceding years or from any other source which may lawfully be applied for such purpose.

PASSED this

day of January

A.D. 1989

CITY CLERK

MAYOR

CA4 ON HBL A05
A31

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK



CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK
MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1989 February 14
7:30 o'clock p.m.
Council Chambers, City Hall

JT:mjw

A G E N D A

1. Opening Prayer

Father Raymond Modeski
Cathedral of Christ the King
714 King Street West

2. Proclamation

"Single Parent Week", 1989 February 19 to February 24

3. Minutes

1989 January 31

4. Correspondence

5. Reports of the Standing Committees - attached

- (a) Co-ordinating Committee
- (b) Transport and Environment Committee
- (c) Parks and Recreation Committee
- (d) Planning and Development Committee
- (e) Legislation Committee
- (g) Finance Committee
- (h) Licencing Committee

6. Notice of Motion for Next Meeting
7. First Reading of the Bills
8. Second Reading of the Bills - Committee of the Whole
9. Third Reading of the Bills
10. Question Period
11. Adjournment

M I N U T E S

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, JANUARY 31, 1989
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps,
Christopherson, Agostino, Lombardo, Smith, Jackson, Merling,
Gallagher, Ross, Murray.

His Worship Mayor Robert M. Morrow called the meeting to order.

The Reverend E. Robert Yanke, MacNeill Baptist Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow made the following presentations:

- (i) Certificate of Recognition for "McDONALD'S RESTAURANTS OF CANADA, LTD." to Mr. William Johnson, Assistant Vice-President, Director of Operations - Hamilton, and Mr. Steve Jarvis, Owner-Operator, Hamilton McDonald's Restaurant.
- (ii) Proclamation for "JAYCEE WEEK" to Miss Catharine Upton, President, Hamilton Jaycees.
- (iii) Proclamation for "DUET CLUB OF HAMILTON 100TH ANNIVERSARY YEAR" to Miss Olive Poulton, President, Duet Club of Hamilton.
- (iv) Proclamation for "WHITE CANE WEEK" to Mr. Chris Teodoridis, Technical Aids Co-ordinator, C.N.I.B.
- (v) Proclamation for "CABLE TELEVISION MONTH" to Mr. Alex Park, General Manager, Cable 14.
- (vi) Proclamation for "BLACK HISTORY MONTH" to Mrs. Mary Caye Clark, Chairman of the Board of Education, and a few students.
- (vii) Proclamation for "HEART AND STROKE MONTH" to Ms. Shirley Bailey, Communications Chairperson.

The minutes of the meeting of January 10, 1989, were taken as read and approved.

The minutes of the special meeting of January 17, 1989, as amended, were taken as read and approved. The amendment is the addition of a recorded vote on the SECOND Report of the Parks and Recreation Committee.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross. - 14.

NAYS: Alderman Copps. - 1. CARRIED.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Vaughan Graham, 9640 Haldibrook Road, R.R. #2 Caledonia, Ontario, for a change in zoning, property located at 1415 Upper Gage Avenue, dated January 10, 1989.
2. Application from 673833 Ontario Limited, per Farshad Tcharmtchi, President, 191 Wyecroft Road, Oakville, Ontario, for a change in zoning, property located at the rear of No. 1565 Upper James Street, dated January 10, 1989.
3. Application from John Cvetkovic, 6 Mapleside Avenue, Hamilton, Ontario, for a change in zoning, property located at 13 Cannon Street West, dated January 17, 1989.
4. Application from Patran Holdings Ltd., 21 Brockley Drive, Stoney Creek, Ontario, for a change in zoning, property located at 55 Queen Street North, dated January 17, 1989.
5. Application from 583783 Ontario Inc., Doreen and Fritz Stellar, 10 Herkimer Street, Hamilton, Ontario, for modification to the zoning, property located at 10 Herkimer Street, dated January 17, 1989.
6. Application from Hamilton General Homes (1971) Ltd., & Multi-Area Developments Inc., 590 Seaman Street, Stoney Creek, Ontario, for a modification to the zoning, property located on the south side of Stone Church Road East, and east of Upper Ottawa Street, dated January 27, 1989.
7. Letter from Mr. Stephen Clark, President, Association of Municipalities of Ontario, Suite 805, 100 University Avenue, Toronto, Ontario, re the 1989-90 Transfer Payment Announcement and the flat-lining of the unconditional grants programme and the municipal roads assistance programme, dated January 23, 1989.
8. Letter from Mr. David J. Cuming, 309 Jackson St. West, Hamilton, Ontario, re future of Hamilton Museum of Steam and Technology, dated January 30, 1989.

* * * * *

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Gallagher in the chair.

* * * * *

(A) CO-ORDINATING COMMITTEE - THIRD REPORT.

It was moved by Alderman Ross and seconded by Alderman Murray.

RESOLVED: that Section 7 be amended by adding the following:

"That His Worship Mayor Robert M. Morrow be requested to arrange for a meeting with The Honourable R. Nixon, Provincial Treasurer,

to formally present the City's position with respect to Unconditional Grants. - CARRIED.

* * * * *

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - SECOND REPORT.

It was moved by Alderman Agostino and seconded by Alderman Lombardo.

RESOLVED: that Subsection (b) of Section 16 be amended by deleting the word "not" in the first line and by adding the following, after the word "Drive" in the second line:

"for a six month trial basis, effective September 1, 1989, and that the Finance Committee be requested to recommend the method of financing." - CARRIED.

* * * * *

Recorded vote on Section 21.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 16.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

The recommendation of the Co-Ordinating Committee on Sections 29 and 31 was carried.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Section 34 be referred back.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Merling, Gallagher, Ross, Murray. - 15.

NAYS: Aldermen Smith, Jackson. - 2. CARRIED.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting installation of a temporary School Bus Loading Zone on Whitney Avenue, in front of Prince Philip School. - CARRIED.

* * * * *

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that the following be added as Section 36.

"36. That the Director of Traffic Services be directed to install a School Bus Loading Zone on the south side of Whitney Avenue, in front of Prince Philip School, for the duration of sewer construction on Rifle Range Road." - CARRIED.

* * * * *

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - THIRD REPORT.

* * * * *

(C) PARKS AND RECREATION COMMITTEE - THIRD REPORT.

Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: Aldermen Cooke, Kiss. - 2. CARRIED.

* * * * *

The recommendation of the Co-Ordinating Committee on Sections 9, 11 and 16, was carried.

* * * * *

(D) PLANNING AND DEVELOPMENT COMMITTEE - FOURTH REPORT.

Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 14.

NAYS: Alderman Agro. - 1. CARRIED.

* * * * *

The recommendation of the Co-Ordinating Committee on Section 5 was carried.

* * * * *

It was moved by Alderman Smith and seconded by Alderman Lombardo.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit the introduction of a Bill respecting land located in the East Harbour and the West Harbour. - CARRIED.

* * * * *

It was moved by Alderman Smith and seconded by Alderman Lombardo.

RESOLVED: that Section 14 be amended by adding the following clause after Subsection (i):

"(j) A By-law respecting lands bounded by Burlington Street East, Oliver Street, Wilfred Street and Wentworth Street, and bounded by Wentworth Street North, Niagara Street and Land Street, and To Amend By-law No. 83-240, Being an Amendment to Zoning By-law No. 6593 Respecting Land Located in the East Harbour and the West Harbour." - CARRIED.

* * * * *

It was moved by Alderman Smith and seconded by Alderman Lombardo.

RESOLVED: that the following be added as Section 15.

"15. (a) That the Planning and Development Department be requested to establish and carry out a City of Hamilton Mayor's Awards Programme.

(b) That the Planning and Development Department, and the Urban Design Committee, proceed immediately to allow the first award ceremony to take place before the end of April 1989.

(c) That the estimated cost of \$1,200.00 be included in the 1989 Planning and Development Department Budget.

NOTE: The Mayor's Awards Programme will aim to identify, reward and call community attention to well-designed and well-executed projects which create or enhance Hamilton's public spaces." - CARRIED.

(E) LEGISLATION COMMITTEE - SECOND REPORT.

Alderman Drury declared personal interest in, took no part in the debate, and refrained from voting on Sections 11 and 12. He is a member of a Service Club who run a Bingo.

* * * * *

It was moved by Alderman Agro and seconded by Alderman McCulloch.

RESOLVED: that Section 13 be referred back.

YEAS: Aldermen Kiss, Agro, McCulloch, Drury. - 4.

NAYS: Mayor Morrow; Aldermen Cooke, Hinkley, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 13. LOST.

* * * * *

It was moved by Alderman Murray and seconded by Alderman

RESOLVED: that Section 13 be amended by deleting the word "not" immediately before the words "be approved" in the fourth line. -

YEAS: Mayor Morrow; Aldermen Cooke, Hinkley, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 12.

NAYS: Aldermen Kiss, Agro, McCulloch, Drury, Copps. - 5. CARRIED.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Jackson.

RESOLVED: that Section 14 be amended by deleting the word "discontinued" in the second line, and substituting in lieu thereof the words "be held once every three years in the second year of each Council term." -

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Hinkley, Christopherson, Agostino, Smith, Jackson, Gallagher, Ross, Murray. - 11.

NAYS: Aldermen Kiss, Agro, Drury, Copps, Lombardo, Merling. - 6. CARRIED.

* * * * *

It was moved by Alderman Agro and seconded by Alderman Kiss.

RESOLVED: that Section 15 be amended by deleting the name "Alderman G. Copps" and substituting in lieu thereof the name "Mayor R. M. Morrow" on the French Sub-Committee. - CARRIED.

* * * * *

Recorded vote on Section 16.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross. - 14.

NAYS: Aldermen Kiss, Drury, Murray. - 3. CARRIED.

* * * * *

It was moved by Alderman Christopherson and seconded by Alderman Ross.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution and by-law respecting a freeze on the issuance of Livery Vehicle Licences. - CARRIED.

* * * * *

It was moved by Alderman Christopherson and seconded by Alderman Ross.

RESOLVED: that the following be added as Sections 19 and 20.

"19. (a) That Section 1(a)(iii) of the SEVENTH Report of the Legislation Committee, adopted by City Council on May 10, 1988, which provides for a 'freeze' on the issuance of Livery Vehicle Licences, be amended so as to provide for a sixth month freeze only.

(b) That the City Solicitor be authorized and directed to prepare the necessary amending by-law to provide for this sixth month freeze.

20. That leave be granted to introduce the following Bill:

Bill E-3 A By-law Respecting Livery Vehicle Licences." - CARRIED.

* * * * *

(F) PERSONNEL COMMITTEE - FIRST REPORT.

* * * * *

(G) FINANCE COMMITTEE - THIRD REPORT.

Recorded vote on Section 14.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Hinkley,
Drury, Christopherson, Agostino, Lombardo, Smith,
Jackson, Merling, Gallagher, Ross, Murray. - 14.

NAYS: Aldermen Kiss, Agro, Copps. - 3. CARRIED.

* * * * *

It was moved by Alderman McCulloch and seconded by Alderman
Cooke.

RESOLVED: that Section 17 be amended by adding the
following, after the word "funding" in
the second line of the recommendation:

"in the form of grants." - CARRIED.

* * * * *

(I) INFORMATION SYSTEMS COMMITTEE - FIRST REPORT.

* * * * *

It was moved by Alderman Agostino and seconded by Alderman Lombardo.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked
for this meeting of City Council in order to permit
consideration of a resolution respecting the imminent
release of a young offender convicted of a triple murder
in Scarborough, Ontario, in 1985. - CARRIED.

* * * * *

It was moved by Alderman Agostino and seconded by Alderman Lombardo.

RESOLVED: that the Council of The Corporation of the City of Hamilton
oppose the release of a young offender convicted of a triple
murder in Scarborough, Ontario, in 1985; and

That the Council petition the Ontario Cabinet to inform all
Police Forces, Agencies, and individuals of this area having
dealings with this young offender, of his identity and other
necessary information.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Drury, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 14.

NAYS: Aldermen Kiss, McCulloch, Copps. - 3. CARRIED.

* * * * *

It was moved by Alderman Agostino and seconded by Alderman Lombardo.

RESOLVED: (a) That the Corporation of the City of Hamilton petition the Federal Government to review the "Young Offenders Act" with a view to making it mandatory for all adolescent offenders, charged with murder, to be tried in Adult Court; and

(b) That a copy of this resolution be forwarded to all municipalities in Canada, with populations of over 50,000, with the request that this resolution be endorsed.

REFERRED TO THE LEGISLATION COMMITTEE.

* * * * *

It was moved by Alderman Agostino and seconded by Alderman Lombardo.

RESOLVED: that the resolution respecting the petitioning of the Federal Government to review the "Young Offenders Act" be referred to the Legislation Committee. - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that Alderman D. Ross be appointed Acting Mayor for the month of February, 1989. - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-4, A-5, A-6, A-7,
B-24, B-25, B-26, B-27, B-28,
D-6, D-7, D-8, D-9, D-10, D-11, D-12, D-13, D-14, D-15,
E-2, E-3,
G-1 - CARRIED.

* * * * *

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Gallagher in the chair.

A-4, A-5, A-6, A-7,
B-24, B-25, B-26, B-27, B-28,
D-6, D-7, D-8, D-9, D-10, D-11, D-12, D-13, D-14, D-15,
E-2, E-3,
G-1.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time:

A-4, A-5, A-6, A-7,
B-24, B-25, B-26, B-27, B-28,
D-6, D-7, D-8, D-9, D-10, D-11, D-12, D-13, D-14, D-15,
E-2, E-3,
G-1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

* * * * *

City Council adjourned at 10.55 o'clock, p.m.

* * * * *

REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its FOURTH Report for 1989 and respectfully recommends:

1. (a) That the development covenants contained in the City's deed 438826C.D. to 52 James Street South Limited (John C. Davies) for the former Bank of Montreal building be amended as follows:

- (i) Covenant (i) be amended by deleting the reference to the office tower development slated for the adjacent lands being integrated with the Bank of Montreal and adding in its place "to be integrated with the development of a Seniors Apartment - Hotel complex of approximately fifteen (15) stories in height to be completed by March 30, 1991."

- (ii) Covenant (i) shall be further amended as follows:

- "(i) That subject to the completion of the rezoning of the adjacent property, that the original site plan agreement registered as No. 433425C.D. be amended by the owner at its own cost to reflect the new development proposed. Said new site plan must be registered."

- (b) That the owner enter into an agreement with the City to amend all the aforementioned changes and additions to the City's deed 438826C.D. in a form satisfactory to the City Solicitor.
 - (c) That the appropriate City Officials be authorized to execute the required documentation.
 - (d) That all other terms and conditions contained in the deed 438826C.D. shall remain the same and in full force and effect and time shall remain of the essence.

NOTE: Copies of a report from the Director of Property to the Co-ordinating Committee, dated February 2, 1989, setting out details relative to this matter were previously forwarded to Members of City Council.

Additional copies, if required, are available from the Secretary, Co-ordinating Committee.

2. That the Council of the Municipality of Hamilton-Wentworth be requested to assume responsibility for municipality funding for the Hamilton Society for the Prevention of Cruelty to Animals.
3. That leave be granted to introduce the following Bill:
 - (a) Bill A-8 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW
CHAIRMAN
CO-ORDINATING COMMITTEE

J. J. Schatz
Secretary
1989 February 9
/bc

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its FOURTH Report for 1989 and respectfully recommends:

1. That a purchase order be issued to G. F. Mason Excavating Ltd., Fruitland for the supply and delivery of Top Soils as and when required during 1989 in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

Shredded Top Soil	\$10.00 per yard
Shredded Manure	11.00 per yard
Regular Top Soil	8.50 per yard
Rotted Manure	10.30 per yard

NOTE: Lowest of two (2) tenders received, Funds provided in Various Accounts.

2. That the fee for the maintenance of banner poles and the installation of banners over Main Street be increased from \$150 to \$160.

NOTE: Last year, the cost for changing the banners over Main Street was reviewed and upgraded from \$125 to \$150.

At that time, no provision was included to recover a portion of the capital cost for the banner poles or the anchor cables. Recently, it has come to staff's attention that the banner poles will have to be replaced in approximately 10 years due to metal fatigue. As well, the constant stress and vibration will require the replacement of the anchor cables every three years.

3. (a) That a "One Hour Parking Time Limit, 9:00 a.m. to 2:00 p.m., Monday to Friday" regulation be implemented on both sides of Green Meadow Road between Queensdale Avenue East and Everton Place; and
- (b) That a "One Hour Parking Time Limit, 9:00 a.m. to 8:00 p.m., Monday to Friday" regulation be implemented on the west side of Columbia Drive between Delmar Drive and a point 52 feet south of the northerly end of the Street; and
- (c) That a "One Hour Parking Time Limit" regulation to be in effect 24 hours a day, seven days a week, be implemented on both sides of Simcoe Street West between MacNab Street North and Bay Street North; and

- (d) That parking be prohibited on the north side of Franklin Road between Upper Wentworth Street and East 24th Street; and
 - (e) That City Traffic By-law 66-100 be amended accordingly.
- 4.
- (a) That a School Traffic Officer be assigned to the intersection of Wentworth Street and Delaware Avenue.
 - (b) That the Finance Committee be requested to recommend the method of financing in the amount of \$6 882 annually.
- 5.
- (a) That northbound traffic on Glen Valley Drive be required to stop for eastbound and westbound traffic on Country Club Drive; and
 - (b) That the existing yield sign for eastbound traffic on Head Street at Strathcona Avenue North be replaced with a stop sign; and
 - (c) That the existing yield signs for eastbound and westbound traffic on Florence Street at Strathcona Avenue North be replaced with stop signs; and
 - (d) That the existing yield sign for eastbound traffic on Tom Street at Strathcona Avenue North be replaced with a stop sign; and
 - (e) That three-way stop control be implemented at the intersection of Lamoreux Street and Strathcona Avenue North; and
 - (f) That northbound and southbound traffic on Locke Street South be required to stop at Charlton Avenue West such that the intersection would be controlled by a three-way stop; and
 - (g) That the overhead flashing light be removed from the intersection of Charlton Avenue West and Locke Street South; and
 - (h) That City Traffic By-law 66-100 be amended accordingly.
- 6.
- (a) That a "Commercial Vehicle Loading Zone, 8:00 a.m. to 12:00 noon, Monday to Friday" regulation be implemented on the west side of Catharine Street South, commencing at a point 77 feet south of Young Street and extending to a point 40 feet southerly therefrom; and
 - (b) That City Traffic By-law 66-100 be amended accordingly.

7. That the previous list of personnel appointed as By-law Enforcement Officers for the City of Hamilton be revised:

by adding the following names:

- John H. Deeley	- James L. Adkins
- William D. Christensen	- Joseph W. Mathieson
- Jeffrey D. Danby	- Louis J. Angeline
- Paul L. Brown	- Judith Berestecki

and by deleting the following names:

- Gordon J. Henderson	- Ernest F. Squires
- Brian A. Bishop	- Eric L. Laycock
- John J. DeMois	- Victor C. Anderson
- Onelio L. Maragno	- Kenneth Edgar

8. (a) That a "No Parking" regulation be implemented on the north side of Brucedale Avenue between Millen Avenue and a point 56 feet west; and
- (b) That City Traffic By-law 66-100 be amended accordingly.
9. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Sussex Street commencing at a point 52 feet west of Emerson Street and extending to a point 166 feet westerly therefrom; and
- (b) That City Traffic By-law 66-100 be amended accordingly.
10. (a) That the "Call B.U.D. Committee" be permitted to display a promotional banner across Main Street West in front of City Hall, from April 3, 1989 to April 10, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1988, September 30, 1988 and January 13, 1987, with the following message:

"BEFORE YOU DIG, CALL B.U.D. 527-7977"

- (b) That the Citizen Action Group be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, November 27, 1989 to December 4, 1989, with the following message:

"OLDER WORKER WEEK
HAMILTON HELP CENTRE"

- (c) That the Leeds of Hamilton be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, January 1, 1990 to January 8, 1990, with the following message:

"LEEDS BRIDAL SHOW '90
HAMILTON CONVENTION CENTRE
JANUARY 9 & 10, 1990"

- (d) That the Hamilton and District Extend-A-Family be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, July 17, 1989 to July 24, 1989, with the following message:

"SHARE A SPECIAL FRIENDSHIP
HAMILTON EXTEND-A-FAMILY 529-7484"

- (e) That the Hamilton and District Extend-A-Family be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, September 17, 1990 to September 24, 1990, with the following message:

"SHARE A SPECIAL FRIENDSHIP
HAMILTON EXTEND-A-FAMILY 529-7484"

- (f) That the Art Gallery of Hamilton Volunteer Committee be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, November 5, 1990 to November 12, 1990, with the following message:

"ART GALLERY FAIR
X-MAS AT THE GALLERY"

- (g) That the Kidney Foundation of Canada Hamilton & District Chapter be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, March 5, 1990, to March 12, 1990 with the following messages:

"SUPPORT THE KIDNEY FOUNDATION
PLEASE GIVE GENEROUSLY
MARCH IS KIDNEY MONTH"

11. That the City Solicitor be authorized and directed to prepare a By-law to Incorporate Part 18, Plan 62R-6257 into Queen Victoria Drive.

NOTE: All costs for services have been paid to both the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

The City of Hamilton is the owner of Part 18 and it is necessary that this part be Incorporated into Queen Victoria Drive to provide access to and from a Subdivision abutting and to the west (commonly known as Loconder Gardens) recently registered as Plan 62M-572.

12. That the City Solicitor be authorized and directed to prepare a By-law to Incorporate the easterly 47.292m of Part 2 and all of Part 7 Plan 62R-6257 onto Loconder Drive.

NOTE: All costs for services have been paid to both the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

The City of Hamilton is the owner of all Parts 2 and 7 and it is necessary that the above-mentioned easterly 47.292m of PART 2 and all of Part 7 be Incorporated into Loconder Drive to provide access to and from a soon to be constructed Town House Development abutting and to the north of the said PARTS.

13. That the City Solicitor be authorized and directed to prepare the necessary By-law to incorporate part of Block 90, Plan 62M-488 into Rushdale Drive.

NOTE: All costs for services have been paid to both the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

The City of Hamilton is the owner of all of Block 90, Plan 62M-488 and it is necessary that the westerly 20.154m thereof be incorporated into Rushdale Drive to provide access to and from the said Plan 62M-488 and the subdivision to the south shown on Plan 62M-528.

14. (a) That the City share of the cost of curbs, sidewalks, final roads and grading and related services, as adopted by City Council on April 29, 1986 as Item 29 of the Tenth Report of the Transport and Environment Committee for "Rexford Gardens - Phase 2", be increased by \$10 580 to \$68 406; and
- (b) That the Co-ordinating Committee recommend the source of funding for these additional costs.

NOTE: For Council's information, the Additional Cost Sharing is required due to higher than anticipated tender unit prices and grading on City lands.

15. (a) That the submitted schedules for the estimated cost of services in "Highridge Hills - Stage 2", Hamilton, as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement with the Owner. These lands are located east of Upper Sherman Avenue and South of Limeridge Road, in the Randall Neighbourhood. The total estimated cost of services for this development is \$602 146.

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement between the City of Hamilton and the owner, Highridge Developments (Hamilton) Ltd.,
 - (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and Subdivision agreement have been registered;
 - (d) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan, he be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing;
 - (e) That the City's Share of the cost of services for the development (\$34 044.39) be approved, and that the Co-ordinating Committee recommend the source of funding for this project; and
 - (f) That the City Solicitor be authorized and directed to prepare the necessary By-laws to:
 - i. incorporate the 0.3m reserve, Block 111, Registered Plan No. 62M-583, into the Ashcroft Drive Road Allowance after the Plan of Subdivision for "Highridge Hills - Stage 2" has been registered;
 - ii. incorporate the 0.3 m reserve, Block 112, Registered Plan No. 62M-583, into the Rexford Drive road allowance after the Plan of Subdivision for "Highridge Hills - Stage 2" has been registered;
 - iii. incorporate part of the 0.3m reserve, Block 84, on the subject plan, into the Rexford Drive road allowance after the Plan of Subdivision for "Highridge Hills - Stage 2" has been registered. (This part fronts Instrument No. 61630 H.L. only);
 - iv. incorporate Parts 11 and 12, Plan No. 62R-9500, into the Rexford Drive Road allowances after the Plan of Subdivision for "Highridge Hills - Stage 2" has been registered.
16. (a) That the submitted schedules for the estimated cost of services in "Templemead No. 2 Survey - Phase 6, Hamilton, as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement. These lands are located east of Upper Gage Avenue and north of Rymal Road in the Templemead Neighbourhood.
- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement between the City of Hamilton and the Owners, Seedeck Construction Company Limited and Robert Shelley Construction Limited.

- (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and Subdivision agreement have been registered;
 - (d) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan, he be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing;
 - (e) That the City Solicitor be authorized and directed to prepare the By-law(s) to incorporate the 0.3m reserves, Parts 2, 3, and 5, Plan 62R-9557 into their respective road allowance, Templemead Drive and Mount Pleasant Drive road allowance, following the registration of the Plan of Subdivision for Templemead No. 2 Survey - Phase 6.
 - (f) That the Subdivision Agreement include the necessary provisions which would require the Developer to establish Maintenance Easements in all locations as required by the Zoning By-law and Council Policy.
17. That the Director of Traffic Services be authorized to temporarily cover or remove the "No Parking" signs on the north side of Barton Street between Queen and Ray Streets.

NOTE: Staff has been directed to report back to the Transport and Environment Committee on parking conditions in this area, after one month.

18. That the following Bills be introduced:

- (a) B-29 By-law respecting construction of local improvements of:
 - i. Combined Sidewalk and Curb on the north side of Federal Street, from Berkindale Drive to approx. 38m easterly;
 - ii. Finished Roadway, combined Sidewalks and Curbs (both sides) on Federal Street, from Grays Road to approx. 48m westerly
 - iii. Finished Roadway on Federal Streets from Berkindale Drive to approx. 40m easterly, total estimated cost - \$68 300.
- (b) B-30 By-law to incorporate Reserve "B", Plan 943 into Forbes Street
- (c) B-31 By-law to Amend By-law 66-100 to Regulate Traffic.
- (d) B-32 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1989 February 06

/lp

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its FOURTH Report for 1989 and respectfully recommends:

1. That the Portuguese Association of St. Michael the Archangel be granted permission to sell food and alcoholic beverages on the occasions of the Annual Festival of the Holy Spirit, June 9, 10, 11, 1989, in the Dundurn Park Pavilion, subject to the following terms and conditions:
 - (a) Proof of \$1 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury, same to be submitted 30 days in advance, and naming the City as co-insured.
 - (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.).
 - (c) That alcoholic beverages may be served in the confined area of the Pavilion on June 9, 10 (12:00 noon to 12:00 midnight), and June 11 (12:00 noon to 10:00 p.m.), upon receipt of approval of the Liquor Licence Board.
 - (d) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
 - (e) That a financial statement relative to the sale of alcoholic beverages be submitted within thirty days of the celebrations.

NOTE: Approval required pursuant to Parks By-Law No. 77-221.

2. (a) That the hourly rate for ice rentals at Municipal Arenas be revised as follows:

EXISTING

PROPOSED 1989 - '90

Effective the opening of our Fall and Winter Season - October 1989:

ADULT

- | | | | |
|----|-------------|------------------|------------------|
| i. | Non-Prime | \$55.00 per hour | \$60.00 per hour |
| | Time | | |
| | 6 am - 6 pm | | |

- ii. Prime-Time 80.00 per hour \$85.00 per hour
6 pm - closing

YOUTH

- i. Non-Prime \$40.00 per hour \$50.00 per hour
Time
6 am - 6 pm
- ii. Prime-Time \$55.00 per hour \$60.00 per hour
6 - 10 pm

LAWFIELD ARENA - SUMMER

ADULT

- i. Non-Prime \$65.00 per hour \$70.00 per hour
Time
6 am - 6 pm
- ii. Prime Time \$80.00 per hour \$85.00 per hour
6 pm - closing

YOUTH \$65.00 per hour \$70.00 per hour

- (b) That the youth rental rate not be applicable after 10:00 p.m.

3. That approval be given the action taken by the Director of Culture and Recreation in authorizing the Board of Education to utilize a portion of Scott Park, for purposes of operating a Day Care Centre, on the understanding that:

- (a) The Board of Education would be responsible for the costs of installing and maintaining the four foot fencing required to provide an enclosed play area in conjunction with Day Care Centre.
- (b) The area required, approximately twenty feet by sixty feet would be located immediately adjacent to the Scott Park School, in an area satisfactory to the Director of Public Works.
- (c) That this fencing would be removed, at the expense of the Board of Education, if and when the City requires the property for other uses, and upon the year's notice.
- (d) That the City assume no responsibility for the maintenance of the enclosed play area.
- (e) That the Board of Education agrees to save the City harmless, from any accident or injury which might occur within the enclosed play area.

4. That an Option to Purchase the property known as 308 Hixon Road duly executed by the Board of Education for the City of Hamilton on January 24, 1989 and scheduled for closing on or before April 24, 1989 be approved and completed.

NOTE: The subject property has a frontage along the southerly limit of Hixon Road of 200 feet (60.96 metres) more or less by a depth of 245 feet (74.68 metres) bearing municipal number 308 Hixon Road. The purchase price of \$160,000.00, plus legal fees not to exceed \$1,000.00, is to be charged to account RF 25301 (Lands Acquired under the Planning Act) in which sufficient funds are available to finalize this transaction. Consideration in the amount of \$1.00 has been paid to the owners, and pursuant to the agreement, forms part of the purchase price.

5. (a) That the following land leases for farming purposes to Mr. Malcolm Bethune be approved,
- 62.83 acres, more or less, on the Turner Farm situated on Rymal Road East at an annual rental of \$1,570.75 (\$25 per acre) including estimated realty taxes of \$1,532.82, and
 - 59.59 acres, more or less, of land at the Mount Hamilton Cemetery at an annual rental of \$1,489.75 (\$25 per acre) including estimated realty taxes of \$1,516.88.
- (b) That the City Solicitor be authorized and directed to prepare the necessary leases.

NOTE: The lease is to commence May 1, 1989 for a period of one year and terminate April 30, 1990.

6. (a) That the Chairman and Vice-Chairman of the Parks and Recreation Committee be authorized to attend the Ontario Recreation Society Conference to be held in Toronto, February 15th - 17th, 1989.
- (b) That any member of the Parks and Recreation Committee wishing to attend be authorized to do so.
7. That the City Solicitor be authorized and directed to re-apply to the Ontario Municipal Board for approval of funding in the amount of \$6 605 000 to construct a Twin Pad Arena/Track complex at the Olympic Park location on Mohawk Road West and Upper Horning Road.

8. For the information of Council, the Parks and Recreation Committee made the following Aldermanic appointments to its Sub-Committees/Boards.

(a) Arts Advisory Sub-Committee
(Term Expires November 30, 1991)

- Alderman M. Kiss
- Alderman D. Christopherson

(b) Crystal Palace Sub-Committee
(Term Expires November 30, 1991)

- Alderman T. Jackson
- * - Requires an additional Alderman

(c) Hamilton Historical Board
(Term Expires November 30, 1991)

- Alderman Wm. McCulloch
- Alderman G. Copps

(d) Parks and Recreation Citizens Advisory Sub-Committee
(Term Expires November 30, 1991)

- Alderman G. Copps
- Alderman T. Murray

(e) Golf Sub-Committee
(Term Expires November 30, 1991)

- Alderman F. Lombardo
- Alderman J. Gallagher (Vice-Chairman)

NOTE: The Citizen Members of this Committee are as follows:

- Mr. Ian Giles
- Mr. Frank Nusca
- Mrs. Wendy Torresin
- Ms. Mary Cambell
- Mr. Rod Goodes
- Mr. Dave Shock
- Mr. John Kiriakopoulos
- Mr. Lou Franco, Chairman
- Mr. J. Pook
- Mr. Mike Mackrory

RESPECTFULLY SUBMITTED,

Robert C. Prowse,
Secretary

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

1989 February 07

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its FIFTH Report for 1989 and respectfully recommends:

1. That the Building Commissioner be authorized to issue demolition permits for the demolition of the following properties: -
 - (a) 131 Nash Road South
 - (b) 633 Queenston Road
 - (c) 627 Queenston Road
2. That the provisions of Demolition Control By-law No. 74-290 be applied to the listed building at 105 Aberdeen Avenue.

NOTE: Sections 33(2) of The Planning Act, 1983, provides that a municipality may, by by-law, designate any area within the municipality wherein a by-law prescribing standards of maintenance and occupancy is in force as an area of demolition control.

Property Standards By-law No. 74-74, prescribing standards of maintenance and occupancy was enacted by City Council on 1974, April 30, and is in force in the City of Hamilton. By-law No. 74-290 - To Establish Demolition Control - provides that the area comprising the City of Hamilton is designated an area of demolition control.

Consequently, no residential property may be demolished in whole, or in part, in the demolition control area, until plans for the proposed development are approved and a permit issued by City Council.

This provision is included in The Planning Act in order to give Council some control over the premature and unnecessary demolition of sound housing stock.

For the information of the members of City Council, the Planning and Development Committee have also forwarded this matter to LACAC for comment.

3. (a) That, the Downtown Action Plan Co-ordinating Committee Terms of Reference be altered to read as follows:
 - (i) To facilitate the implementation of: Downtown Action Plan, Commercial Improvement Programme and other City of Hamilton Streetscaping Initiatives.

- (ii) To provide a forum for the City of Hamilton's Business Improvement Areas for the purpose of ensuring representation on recommendations and reports put before Sub-committees and Council.
 - (iii) To provide staff recommendations and opinions to the Planning and Development Committee on urban design related initiatives/issues.
 - (iv) To ensure the maximum use of City resources - both staff and financial.
 - (v) To ensure that the goals and objectives of the relevant project are met as per City Council's approval; and,
- (b) That, the Downtown Action Plan Co-ordinating Committee continue to meet, with the addition of the following additional representatives from the Business Improvement Areas:

Meri Oliver, (International Village Business Improvement Area)
 Bill Dawson, (Westdale Village Business Improvement Area)
 Diane Morris, (Ottawa Street Business Improvement Area)
 George Barker, (Concession Street Business Improvement Area)
 Keith Cody, (Barton General Business Improvement Area)

- (c) That the Planning and Development Committee be advised on a regular basis of the status of the projects being co-ordinated by the Downtown Action Plan Co-ordinating Committee.

4. That, the Mayor and City Clerk be authorized to sign the necessary Provincial/Municipal Implementation Agreement for the Crown Point/West Stipeley PRIDE Phase I Project, satisfactory to the City Solicitor.

NOTE: In order that the City of Hamilton can make use of the Provincial allocation of four hundred thousand dollars (\$400,000), matched by Municipal funds equalling a total of eight hundred thousand dollars (\$800,000), for the Crown Point West/Stipeley PRIDE Project, the Mayor and City Clerk must sign the necessary Implementation Agreement. Although the Mayor and City Clerk have already signed this Agreement, the Ministry of Municipal Affairs will not execute same until the new Council authorizes this action. Once the recommendation has been approved by City Council, the necessary by-law will be submitted to the Ministry of Municipal Affairs, Community Renewal Branch. The City Solicitor's Department has already reviewed the Implementation Agreement and found it to be satisfactory.

5. (a) That, By-law 87-229 amending By-law 86-212 appointing the International Village B.I.A. Board of Management be amended to DELETE the following names:

Michelle Gallante
 Gord Thompson
 Julie O'Brien
 Bill Elliot

Modern Furs
 G.W. Thompson Jewellers
 Bizarre Bazaar
 Money Mart

and ADD the following names:

Mary Bowden	Book Villa
Gary Frydman	Gary's New York Mens' Wear
Frank Lauinger	Audio Store
Allen Rigby	Bay City Paint
Inder Singh	Empire Oriental Carpets
Bob Seromsky	ZAP Records
Jean Squires	C.I.B.C.
Margaret Tsangarakis	It's All Greek to Me
Mike Vento	Off the Wall
Helen Phillips	Arrivals

- (b) That, the City Solicitor be authorized and directed to amend By-law 87-229 pursuant to (a) above.

6. (a) That, By-law 86-98 appointing the Westdale Village B.I.A. Board of Management, be amended to DELETE the following names:

J. Pocsai	Tulip's Cafe
R. Fazakas	Lawyer
M. Crump	Bremat Construction
S. Delman	Village Bagel
G. Ditner	Cottage Florist
C.C. West	National Trust
G.M. Ujiye	Big V Drug Store

and ADD the following:

B. Dawson	The Villager Mens' Wear
R. McGrath	Toronto-Dominion Bank
D. Harley	Deborah Harley Fashions
J. Jennings	Five Season's Travel

- (b) That, the City Solicitor be authorized and directed to amend By-law 86-98 pursuant to (a) above.

NOTE: For the information of the members of City Council, the following will continue to serve on the Westdale Village B.I.A. Board of Management:

R. Rahie	Jack Carruch Shoes
S. Snider	The Frame Shop
M. Kane	Maryann's Gifts

7. (a) That, By-law 88-89, as amended by By-law 88-144, appointing the Ottawa Street B.I.A. Board of Management be amended to DELETE the following names:

L. Baker	Jenome
T. Culshaw	A & B Catering
L. Higgins	Hamilton Appliance Centre

and ADD the following:

C. Marabella

Encore TV and Video

- (b) That the City Solicitor be authorized and directed to amend By-law 88-89 pursuant to (a) above.

NOTE: For the information of the members of City Council, the following will continue to serve on the Ottawa Street B.I.A. Board of Management:

G. Carrey	Howard Flower Shoppe
E. Desmarais	Fred Gregory Florist
E. Widerman	Heirloom Portraits
J. Gut	The Textile Centre
S. Eisenberg	Liberty House Furniture
T. Easterbrook	Kents Hardware
D. Ferrell	Giant Tiger

8. (a) That, By-law 86-144 appointing the Concession Street Business Improvement Area (B.I.A.) Board of Management be amended to DELETE the following names:

R. Somerville	Lockhart's Ladies Wear
P. Ford	Don Ford & Associates
R. Devries	Ray Devries Real Estate and Insurance
E. Horyn	Walt's Variety
S. Miller	New Dundee Pie Shoppe
E. Raphael	So-Low Sales
P. Wright	P. Wright & Son's Catering
J. Marion	Wilf's Hardware
N. Woolcott	Woolcott Shoe Store
P. Wright	Pat Wright Catering

and ADD the following:

G. Barker	Barker Furniture
J. Jarvis	Lockhart's Ladies Wear
N. Harrington	Harrington & Harrington
R. Butterworth	Butterworth Architect
D. Logan	Wheels in Motion
R. Best	Bar-B-Q at Best

- (b) That, the City Solicitor be authorized and directed to amend By-law 86-144 pursuant to (a) above.

NOTE: For the information of the members of City Council, the following will continue to serve on the Concession Street B.I.A. Board of Management:

N. Woolcott	Woolcott Shoes
J. Marion	Wilf's Hardware

9. (a) That By-law 87-308 appointing the Barton General B.I.A. Board of Management be amended to DELETE the following names:

F. Amad	Shaheen Ent. Ltd.
V. Greco	Riviera Banquet Hall
D. Howarth	Junk Box
R. Kratz	C.J. Kratz Ltd.
J. Thompson	Jack's Custom Kitchens

and ADD the following:

R. Brooker	Gas Tank King
J. Zidanic	Century Furniture Restoration

- (b) That, the City Solicitor be authorized and directed to amend By-law 87-308 pursuant to (a) above.

NOTE: For the information of members of City Council, the following will continue to serve on the Barton General B.I.A. Board of Management:

K. Cody	Cody's Wallcovering
M. Korytko	Valco Decor
S. Vissari	Your Bakery Ltd.
S. Shumacher	Shumacher Shoes
J. Bota	Hack's Appliance & Power Tool
J. Stassis	Dr. Carburetor

10. (a) That, By-law 87-148 appointing the Downtown Promenade B.I.A. Board of Management be amended to DELETE the following names:

M. Caplan	Marvin Caplan's Gentlemen's Apparel
P. Roberts	Continental Bank of Canada
D. Wessel	Terminal Towers
P. Sefarian	Paul's Shoe Repair
T. Olver	Guaranty Trust
M. Pocius	Park Place
J. Ross	Ross' Ladies Wear

and ADD the following:

D. House	Telesis
S. Parkin	Robinson/Ogilvy
G. Bullock	The Hamilton Spectator
R. Tittian	Reggie's

- (b) That, the City Solicitor be authorized and directed to amend By-law 87-148 pursuant to (a) above.

NOTE: For the information of the members of City Council, the following will continue to serve on the Downtown Promenade B.I.A. Board of Management:

B. Hanna	Guaranty Trust
B. Massey	Royal Connaught
R. Harris	Harris & Henderson
J. Livingston	Livingston Furs
P. Pappas	Grapes & Things
W. Gerofsky	Leeds of Hamilton
T. Miele	Holiday Inn
M. Kampen	Woolworths
D. Marissen	Durwood Jones Barkwell

11. (a) That, By-law 87-147 appointing the Jamesville B.I.A. Board of Management be amended to DELETE the following names:

D. Robbins	Robbinex Capital Corporation
S. Leon	Irving's Famous Clothes Ltd.
M. Giamichele	Mario's Custom Tailer
M. Morgenstern	Nandor-Morgenstern Enterprises Ltd.
G. Ricca	Factory Furniture Ltd.
G. Ricca	Ricca Furniture Ltd.
R. Corsini	Corsini Supermarket
P. Viana	Acadia Travel Services Inc.
L. Bornstein	Gordon and Son Furs Ltd.
J. Morgan	J & J Pro Hardware
H. Organ	Kohler's Rexall Drug Store
O. Simoes	Oscar's Travel Agency
B. Miller	Miller Shoes
K. Sherman	Anshel's Ltd.

and ADD the following:

M. Panopoulos	Jamesville Cafe
D. Frazer	2 Beards
M. Robbins	Smith-McKay Florists
E. Piccine	La Triestina Shoes
P. Jovanovich	Copper John's Tavern
F. Mainolfi	Bar Michaelangelo
T. Manajimzada	Kuhistan's Boutique

- (b) That, the City Solicitor be authorized and directed to amend By-law 87-147 pursuant to (a) above.

12. (a) That, the 1989 operating budget of the Downtown Promenade B.I.A. BE APPROVED in the amount of one hundred and ninety eight thousand, three hundred and sixty three dollars (\$198,363); and,

- (b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O., 1980, to levy the 1989 budget as referenced in (a) above; and

(c) That, the Schedule of Payments for 1989 be as follows:

January 1	\$16,530.25	July 1	\$16,530.25
February 1	\$16,530.25	August 1	\$16,530.25
March 1	\$16,530.25	September 1	\$16,530.25
April 1	\$16,530.25	October 1	\$16,530.25
May 1	\$16,530.25	November 1	\$16,530.25
June 1	\$16,530.25	December 1	\$16,530.25

13. (a) That, the 1989 operating budget of the Concession Street B.I.A. BE APPROVED in the amount of eighteen thousand, seven hundred and fifty dollars (\$18,750); and,

(b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1989 budget as referenced in (a) above; and,

(c) That, the Schedule of Payments for 1989 be as follows:

March 1	-	\$5,000
April 1	-	\$5,000
June 1	-	\$4,000
August 1	-	\$2,500
September 1	-	\$2,250

14. (a) That, the 1989 operating budget of the Westdale Village B.I.A. BE APPROVED in the amount of fifteen thousand dollars (\$15,000); and,

(b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1989 budget as referenced in (a) above; and,

(c) That, the Schedule of Payments for 1989 be as follows:

February 1	-	\$3,000
April 1	-	\$5,000
June 1	-	\$5,000
October 1	-	\$2,000

15. (a) That, the 1989 operating budget of the Barton General B.I.A. BE APPROVED in the amount of six thousand dollars (\$6,000); and,

(b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1989 budget as referenced in (a) above; and,

(c) That the Schedule of Payments for 1989 be as follows:

April 1	-	\$2,000,
July 1	-	\$2,000,
October 1	-	\$2,000

16. (a) That, the 1989 operating budget of the Ottawa Street B.I.A. BE APPROVED in the amount of eighty-five thousand dollars (\$85,000); and,
- (b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1989 budget as referenced in (a) above; and,

(c) That the Schedule of Payments for 1989 be as follows:

March 1	-	\$42,500
June 1	-	\$21,250
September 1	-	\$21,250

17. (a) That the 1989 operating budget of the International Village B.I.A. BE APPROVED in the amount of seventy thousand, eight hundred and thirty-five (\$70,835);

(b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217 of the Municipal Act, R.S.O. 1980, to levy the 1989 budget as reference in (a) above; and,

(c) That the Schedule of Payments for 1989 be as follows:

February 1	\$20,000
May 1	\$20,000
July 1	\$30,835

18. That the Corporation of the City of Hamilton ACCEPT the sum of \$7,155. as cash payment in lieu of 5% dedication for "Bentwood Place", subdivision, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located on the east side of Upper Gage Avenue at Royalvista Drive in the Templemead Neighbourhood.

19. That the City of Hamilton ACCEPT the sum of \$7,650. as cash payment in lieu of 5% dedication in connection with "Templemead No. 3 Survey", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

Note: These lands are located east of Upper Gage Avenue and north of Rymal Road in the Templemead Neighbourhood.

20. That the interim account of Weir and Foulds, Barristers and Solicitors, dated 1988 December 21, in the amount of \$14,524.81 for fees and \$1,475.19 for disbursements for a total of \$16,000. BE PAID.

NOTE: This account covers services from 1988 October 14 to 1988 December 7 respecting Butler et al vs. City/Architects Fees re Library Farmers' Market.

21. That members of the Planning and Development Committee receive ONLY those Notices of Public Meeting of the Planning and Development Committee with respect to the Planning matters which concern their particular ward, unless otherwise indicated by the Alderman to the Planning Department Staff.

NOTE: Prior to each Planning and Development Committee meeting, members of the Committee are provided with copies of ALL notices. Since these notices are included in the agendas, the Committee has agreed that it is more appropriate for the members to only receive advance copies of the Notices affecting their particular Ward.

22. (a) That City Council petition the Niagara Escarpment Commission, and based on the fact that the applicable City/Regional Departments are opposed to the granting of the lot severance on property at #1 Bull's Lane, strongly urge the Commission to DENY the applicant's request for lot severance, and
- (b) That the appropriate City staff be authorized to represent the City at the Ontario Municipal Board against the severance application.
23. (a) That APPROVAL be given to Subdivision Application 88-19, 456941 Ontario Ltd., c/o Silvestri Investments, owner, to establish a draft plan of subdivision, on the west side of Pritchard Road and north of Rymal Road, subject to the following conditions:
- (i) That this approval apply to the plan prepared by A.J. Clarke & Associates Ltd., dated 1988 August 23, revised to show 16 lots, one block (Block "17") for development with adjacent lands, one block (Block "18") for open space and two blocks (Blocks "19" and "20") as 0.3m reserve, a 26.0m width of Road "A", 12m x 12m daylight triangles at all crosses of the intersection of street "A" and Anchor Road, a 15m x 15m daylight triangle at the intersection of Street "A" and Pritchard Road, an increase to Block "18" and correspondent changes to the remaining lots.
 - (ii) That the streets be dedicated as public highways on the final plan.
 - (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - (iv) That the final plan conform with the Zoning By-law approved under The Planning Act.
 - (v) That Block "18" be set aside for acquisition by a public agency for open space purposes.
 - (vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

- (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
 - (viii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
 - (ix) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-88-18), 456941 Ontario Ltd., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
24. That APPROVAL be given to Condominium Application 88-24, "Mount Albion Park", 660555 Ontario Limited, owner, to establish a draft plan of condominium located at the south side of Montmorency Drive and on the east side of Mount Albion Road, subject to the following conditions:
- (a) That this approval apply to the plan prepared by A.J. Clarke & Associates Ltd., dated 1988 November 14.
 - (b) That the final plan show a distance of 7.6m between units 42, 43 and 50 and the top edge of the ravine slope and a distance of 7.6m between units 50 to 55 and the easterly property line.
 - (c) That the owner agree in writing to satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.
 - (d) That the neighbourhood plan be amended accordingly.
25. That Section 7 of the THIRD Report for 1989 of the Planning and Development Committee, adopted by City Council on 1989 January 10 BE AMENDED as follows:
- (a) That Sub-section (a) of Section 7, which reads as follows BE DELETED:

"That APPROVAL be given to Official Plan Amendment No. 70, to redesignate the subject lands from "Utilities" to "Industrial" and to extend "Special Policy Area 11", and that the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth."
 - (b) That Sub-section (b) of Section 7, be renumbered Section 7, and

- (c) That Sub-section (b)(iii) of Section 7, which reads as follows BE DELETED:

"That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 70 by the Regional Municipality of Hamilton-Wentworth."

26. (a) That Hamilton City Council supports the objective of increasing the supply of affordable housing areas within the urban reality which includes Hamilton and surrounding municipalities.
- (b) That Hamilton City Council request the Provincial Government to review its existing policies and programs respecting the provision of affordable housing to develop a comprehensive housing strategy instead of introducing an additional policy which is aimed at only one aspect of the housing problem.
- (c) That in the absence of a comprehensive housing strategy, Hamilton City Council request the Provincial Government to revise its draft Housing Policy Statement as follows:
- (i) to allow municipalities the flexibility to determine their own affordable housing targets instead of establishing a provincial target of 25%.
 - (ii) to allow municipalities the flexibility to approve development applications on an informal basis instead of including rigid development application approval targets in the Official Plan;
 - (iii) to ensure that the existing housing stock is considered in the Policy Statement given its importance in the provision of affordable housing;
 - (iv) to ensure that legitimate planning and engineering concerns such as public participation, protection of the environment, and subdivision engineering standards are not dismissed in an attempt to provide affordable housing; and,
 - (v) to rename the Policy Statement to "Residential Land Use Policy Statement", which more accurately reflects its intended purpose.
- (d) That Hamilton City Council urge the Provincial Government to review all provincial housing policies, programs and initiatives respecting the provision of affordable housing with a view:
- (i) to addressing the issue of rent controls;
 - (ii) to providing low income households with shelter allowances, tax credits, etc.;

- (iii) to reviewing Provincial legislation and practices regarding:
 - 1. lot levies;
 - 2. sale of Provincial lands at below market value; and,
 - 3. land speculation tax.
 - (iv) to providing financial aid to both private industry and the Region if expansion of services is to be considered;
 - (v) to developing a public education program in conjunction with the municipality to dispel public fears associated with affordable housing;
 - (vi) to decreasing the response time required for Provincial Ministries to respond to development applications; and,
 - (vii) to decreasing the time it takes to set Ontario Municipal Board hearing dates.
- (e) That Hamilton City Council strongly urge the Provincial Government to review and increase the Maximum Unit Price (M.U.P.) on a regular basis to a level that reflects the actual market costs of land and development.
- (f) That the City Clerk forward the entire Staff Report attached hereto and marked Appendix "A" and the recommendations thereto to the Ministry of Municipal Affairs and Housing, and the Association of Municipalities of Ontario (Urban Section) for consideration, and to the Regional Municipality of Hamilton-Wentworth for information.

NOTE: In 1988 September, the Province released the Draft Provincial Policy Statement. The objective of the Statement is to increase the supply of affordable housing by requesting municipalities to provide a favourable environment conducive to the construction of affordable units. This favourable environment may be achieved through amendments to the land use planning process.

The Province has requested each Municipality to provide comments on the draft Housing Policy Statement by 1989 February 28.

27. That Zoning Application 88-73, Patrick and Linda Vuurman, owners, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to permit the conversion of the existing two family dwelling into a three family dwelling, for lands located at 17 Fairmount Avenue, as shown on the attached map marked as APPENDIX "B" be DENIED for the following reasons:

- (a) The proposal represents an intrusion of a 3 family dwelling into an area which is predominantly occupied by single-family dwellings;

- (b) Approval of the application would set an undesirable precedent for future similar applications in the surrounding area.
- (c) The parking layout is not acceptable, in that the required parking spaces would be stacked, whereas they should be free and unobstructed.

28. That APPROVAL be given to City Initiative 88-G, City of Hamilton, owner, for a change in zoning from "K" (Heavy Industrial) District to "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District, for property located at the rear of 25 to 31 Clinton Street, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the subject lands be rezoned from "K" (Heavy Industrial) District to "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District.
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-32 for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (d) The Stipeley Neighbourhood Plan be amended by redesignating the subject lands from "Park and Recreational" to a "Single and Double" residential land use designation.

NOTE: The purpose of the By-law is to provide for a change in zoning from "K" (Heavy Industrial) District to "D" (Urban Protected Residential - One and Two Family Dwellings, townhouses etc.) District, of property located at the rear of 25 to 31 Clinton Street.

The effect of the By-law is to establish uniform "D" zoning of the properties at 25 to 31 Clinton Street.

29. That APPROVAL be given to Zoning Application 88-100, Gail Ruth Redbourne, owner, for a change in zoning from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "E-1" (Multiple Dwellings) District, for property located at 242 Jackson Street East, as shown on the attached map marked as APPENDIX "D", on the following basis:

- (a) That the subject lands be rezoned from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "E-1" (Multiple Dwellings) District.
- (b) That the "E-1" (Multiple Dwellings) District regulations as contained in Section 11A of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) Notwithstanding Section 11A(1)(iii) of By-law No. 6593 the existing dwelling may be converted to a hairdressing establishment for not more than 5 hairdressers.

- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1112, and that the subject lands on Zoning District Map E-5 be notated S-1112;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5 for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (f) That the Corktown Neighbourhood Plan be amended by redesignating the subject lands from "Medium Density Apartments" to a "Commercial" land use.

NOTE: The purpose of this By-law is to provide for a change in zoning from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "E-1" (Multiple Dwellings) District for property located at 242 Jackson Street East.

The effect of the By-law is to permit the conversion of the existing dwelling to a hairdressing establishment for not more than 5 hairdressers.

30. That APPROVAL be given to amended Zoning Application 88-26, J.C. Leech - Porter, owner, requesting changes in zoning from the "C" (Urban Protected Residential, etc.) District to the "A" (Conservation, Open Space, Park and Recreation) District and "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified, to permit the development of a six storey, 143 unit retirement home, on lands located at 1780, 1790, 1796 and 1808 Main Street West, shown as Blocks "1" and "2" on the attached map marked as APPENDIX "E", on the following basis:

- (a) That the amended By-law apply the holding provisions of Section 35(1) of The Planning Act R.S.O. 1983 to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until Plans have been approved under Section 40 of the Planning Act respecting Site Plan Control.

Removal of the holding provision shall be conditional upon the approval of Site Plans, including suitable grades between the rear of the building and the new proposed top-of-bank, and passage of an amending By-law once Site Plans have been approved.

- (b) That the lands shown as Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to the "A" (Conservation, Open Space, Park and Recreation) District;
- (c) That the lands shown as Block "2" be rezoned from the "C" (Urban Protected Residential, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District:

- (d) That the "A" (Conservation, Open Space, Park and Recreation) District regulations as contained in Section 7 of Zoning By-law No. 6593 applicable to the lands shown as Block "1", be modified to include the following variances as special requirements:
- (i) That notwithstanding Section 7.(1)(ii) a golf course, playground, play lot and playfield shall be prohibited;
 - (ii) That Sections 7.(1)(iii), (iv) and (v), and 7.(1a) shall not apply.
- (e) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, applicable to the lands shown as Block "2", be modified to include the following variances as special requirements:
- (i) That notwithstanding Section 11.(1) a senior citizens multiple dwelling containing not more than 143 dwelling units shall also be permitted;
 - (ii) That notwithstanding Section 11.(1)(xi) a restaurant/dining room shall also be permitted only in conjunction with a senior citizens multiple dwelling, provided that all of the conditions under subclauses (a), (b) and (c) thereof are complied with;
 - (iii) That notwithstanding Section 11.(3)(i)(b) a minimum front yard of 4.0 m shall be required;
 - (iv) That notwithstanding Sections 11.(3)(ii)(b) and 11.(3)(iii)(b) no building or structure, except a fence, shall be erected less than 7.62 m from the boundary of Block "1" abutting Block "2", and no parking or loading area shall be located less than 1.5 m from the boundary of Block "1" abutting Block "2";
 - (v) That notwithstanding Section 11.(5) a maximum floor area ratio factor of 1.85 shall be permitted, only for a senior citizens multiple dwelling;
 - (vi) That notwithstanding Table 1 of Section 18A a minimum of 76 parking spaces shall be required for a senior citizens multiple dwelling containing not more than 143 dwelling units;
 - (vii) That Section 18.(4)(iv) of By-law No. 6593 shall not apply;
 - (viii) That for the purposes of this By-law, a senior citizens multiple dwelling means a multiple dwelling within which all residents are at least 60 years of age or older.
- (f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1113, and that the subject lands on Zoning District Maps W-50 and W-15 be notated S-1113;

- (g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-50 and W-51 for presentation to City Council;
- (h) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area;
- (i) That the approved Ainslie Wood West Neighbourhood Plan be amended by redesignating the lands shown as Block "2" to "Medium Density Apartments".

NOTE: The purpose of the By-law is to provide for changes in zoning for lands located at Nos. 1780, 1790, 1796 and 1808 Main Street West on the following basis:

- (a) Block 1 - Change in zoning from "C" (Urban Protected Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District.
- (b) Block 2 - Change in zoning from "C" (Urban Protected Residential, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District.

The amending By-law applies the holding provisions (as denoted by the 'H' suffix) of Section 35 (1) of the Planning Act to the subject lands. These provisions will prohibit the development of the lands until Plans are approved under Site Plan Control. Once Site Plans are approved, City Council may remove the 'H' Symbol by passing an amending By-law.

The effect of the By-law is to permit the development of a 6 storey, 143 unit senior citizens multiple-dwelling (retirement home) with support services (e.g. dining room, library, lounge, etc.). In addition, the By-law provides for the following modifications as special provisions:

(a) Block "1"

- (i) To prohibit a golf course, playground, playfield; playlot, cemetery, mausoleum or columbarium, and a crematorium as permitted uses.

(b) Block "2"

- (i) To permit a senior citizens multiple dwelling (retirement home) containing not more than 143 dwelling units, provided that all residents are at least 60 years of age or older;
- (ii) To permit a restaurant/dining room in conjunction with a senior citizens multiple dwelling;
- (iii) To permit a minimum front yard depth of 4.0 m, whereas 7.5m is required;

- (iv) To permit a minimum rear yard depth of 7.62m, whereas 13.5 m is required
- (v) To permit a minimum side yard width of 7.62m, whereas 11.0m is required;
- (vi) To permit an accessory building (gazebo) in the side yard;
- (vii) To require a minimum of 76 parking spaces for the senior citizens multiple dwelling (retirement home), whereas 179 are required.
- (viii) To prohibit the location of any parking or loading area closer than 1.5m to the boundary of the "A" (Conservation, Open Space, Park and Recreation) District shown as Block "1".
- (ix) To prohibit the location of any building or structure, except a fence, closer than 7.62m to the boundary of the "A" (Conservation, Open Space, Park and Recreation) District shown as Block "1".

31. (a) That APPROVAL be given to Official Plan Amendment No. 70, to redesignate the southerly portion of the subject lands from "Utilities" to "Commercial", and that the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.

(b) That APPROVAL be given to amended Zoning Application 88-101, Tyka Investments Limited, owner, requesting a modification to the established "HH" (Restricted Community Shopping and Commercial) District to permit a 3 storey building having approximately 1,000m² of ground floor commercial space and 2 floors of residential development (16 apartments), for lands located at Nos. 282, 284, and 288 Grays Road, as shown on the attached map marked as APPENDIX "F" on the following basis:

- (i) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following as special requirements:
 - (1) That notwithstanding Section 14A(1)(a) of By-law No. 6593 a 16 unit multiple dwelling shall be permitted, provided same is attached only to a commercial use(s) permitted under Section 15B(3)(b) of By-law No. 6593.
 - (2) That notwithstanding Section 14A(2) of By-law No. 6593 no building for the use specified in paragraph 1 shall exceed 3 storeys in height, and commercial uses shall only be permitted within the first storey.

- (3) That notwithstanding Section 14A(3)(b) of By-law No. 6593 a southerly side yard having a width of at least 1.5m shall be provided and maintained for the use specified in paragraph 1.
- (4) That notwithstanding Section 18A(17)(b) and Tables 3 and 4 of Section 18A of By-law No. 6593 only one loading space having a minimum size of 18.0m x 4.3m shall be required for the use specified in paragraph 1.
- (5) That there shall be provided and maintained an amount of not less than 44% of the area of the lot as landscaped area, of which not less than 28% of the landscaped area shall be provided and maintained at grade, for the use specified in paragraph 1.
- (6) That a minimum 1.5m wide planting strip shall be provided and maintained along the southerly side lot line and rear lot line for the use specified in paragraph 1.
- (7) That a visual barrier not less than 1.2m in height and not greater than 2.0m in height shall be provided and maintained along the boundary of the rear lot line and southerly side lot line for the use specified in paragraph 1.
- (8) No residential use shall be located except functionally completely separate from any commercial use, and except in such a manner as will completely segregate from any commercial use, pedestrian movement to and from any residential use.
- (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1114, and that the subject lands on Zoning District Map E-123 be notated S-1114;
- (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-123 for presentation to City Council;
- (iv) The proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 70 by the Regional Municipality of Hamilton-Wentworth;
- (v) That the approved Riverdale East Neighbourhood Plan be amended by redesignating the subject lands to "Commercial and Apartments".

NOTE: The purpose of the By-law is to provide for a modification to the established "HH" (Restricted Community Shopping and Commercial) District for lands located at 282, 284, and 288 Grays Road.

The effect of the By-law is to permit the development of the subject lands for a 3 storey building having approximately 1,000 m² of ground floor commercial space, and residential dwelling units on the second

and third floors (total of 16 units). Parking for 38 cars is to be provided on site. In addition, the By-law provides for the following variances as special requirements:

- (a) That only the commercial uses permitted in the "CR" (Commercial-Residential) District (Section 15B(3)(b)) shall be permitted in conjunction with the 16 dwelling units.
- (b) The maximum building height permitted is 3 storeys, whereas 4 storeys is normally allowed, and commercial uses will only be allowed in the first storey;
- (c) A minimum southerly side yard of 1.5m in width is to be provided and maintained;
- (d) One loading space having a minimum size of 18.0m x 3.7m x 4.3m is to be provided, whereas two loading spaces are required;
- (e) An amount of not less than 44% of the lot area is to be provided and maintained as landscaped area, of which not less than 28% of the landscaped area is to be provided and maintained at grade;
- (f) A minimum 1.5m wide planting strip is to be provided and maintained along the southerly side lot line and rear lot line;
- (g) A visual barrier not less than 1.2m in height and not greater than 2.0m in height is to be provided and maintained along the boundary of the rear lot line and southerly side lot line.
- (h) That access to the residential units is to be completely separate from the commercial uses.

32. That the Chairman of the Planning and Development Committee, or his designate, be authorized to attend the American Planners Association National Planning Conference to take place on 1989 April 29 - May 3 in Atlanta, Georgia.

33. That leave be granted to introduce the following Bills:

- (a) Bill D-16 A By-law to repeal By-law No. 85-226 as amended by By-law No. 86-297 respecting Interim Control.
- (b) Bill D-17 A By-law to amend Zoning By-law No. 6593 respecting land located at municipal no. 1167 Rymal Road East.
- (c) Bill D-18 A By-law to repeal By-law No. 86-232 respecting part of "Randall Estates - Phase 1" Registered Plan of Subdivision M-200.
- (d) Bill D-19 A By-law to repeal By-law No. 83-326 respecting part of "Oakington Estates (Phase 5)" Registered Plan of Subdivision M-228.

- (e) Bill D-20 A By-law to repeal By-law No. 87-124 respecting part of "Stone Church Survey" Registered Plan of Subdivision No. 1059.
- (f) Bill D-21 A By-law to amend Zoning By-law No. 6593 respecting lands located at municipal nos. 1405, 1411 and 1417 Upper James Street
- (g) Bill D-22 A By-law to amend Zoning By-law No. 6593 respecting land located at municipal no. 1375 Upper James Street.

Respectfully submitted,

Alderman J. Smith, Chairman
Planning and Development Committee

Susan K. Reeder
Secretary
1989 February 1

DRAFT PROVINCIAL HOUSING

POLICY STATEMENT

CITY OF HAMILTON'S RESPONSE

1989 FEBRUARY

Appendix "A" as referred
to in Section 26 of the
FIFTH Report for 1989 of
the P & D Committee

1.0) INTRODUCTION

In 1988 September, the Provincial government, under Section 3 of the Planning Act, introduced a draft Housing Policy Statement. This Statement was issued in response to a serious housing problem, namely the inadequate supply of "affordable" dwelling units in some areas of the Province. This shortage can be attributed to a number of social and economic factors which include changing household sizes and composition as well as a significant internal and international immigration. The problem is most acute in Toronto and the surrounding communities.

The intent of this Policy Statement is to establish a new land use planning framework aimed at achieving specific housing objectives. The Statement places the burden on the municipalities to provide the opportunity for the provision of affordable housing through such actions as:

- a) the formulation of Official Plan policies and zoning provisions which support a variety of housing types;
- b) the development of zoning standards which would allow for a variety of housing types to be built; and
- c) the acceleration of the development approvals process to potentially reduce the cost of housing.

It is important to note that the purpose of this Statement is to ensure that municipalities provide the OPPORTUNITY for the provision of affordable housing and only through the co-operative efforts of private enterprise and municipal governments will the increase in the number of affordable units be realized.

Prior to finalizing the draft Statement, the Province is seeking input from municipalities by 1989 February 28. The purpose of this report is to highlight the key elements of the Statement and to provide Committee and Council with a formal response to the Province.

The Region has also prepared a response to the Provincial government. Their conclusions are similar to those contained in this report.

2.0) OBJECTIVES

The basic objective of the Policy Statement is:

- o to require a minimum of 25% of the new housing stock within a municipality (new development, conversions and

residential intensification) to be of a price that is affordable to approximately 60% of the households.

The 25% minimum is to be split: 12.5% of new units would have to be affordable to households within the 0 to 30th percentile income range [0 - \$26,800 (low income households)] and the remaining 12.5% would be for those in the 30th to 60th percentile [\$26,801-\$46,800 (moderate income households)]. (Source: Ministries of Municipal Affairs and Housing, Housing and Land Use Policy Statement: Implementation Guidelines, 1988, Appendix I)

Certain actions must be taken by the municipality in order that the objective is achieved. The municipality must:

- 1) establish a policy environment that encourages the development industry to increase the supply of land by ensuring that an adequate supply of land is available to meet a minimum 10 year growth period;
- 2) maximize the use of the existing building stock and physical and social services through the promotion of residential intensification and conversion of non-residential buildings and land to residential purposes; and
- 3) shorten the time required to process development applications (ie. zoning, subdivisions, official plan amendments and site plans).

It is assumed that these broad actions will reduce the cost of land which in turn will reduce the cost in the provision of housing. Thereby, more households will gain access to the housing market and be housed in units which meet their needs.

The Statement also assumes that governments (municipal and provincial through funding) will provide housing for those households within the 0 to 30th percentile income range, and the private market will provide units for the moderate income households.

From a philosophical viewpoint, the policy statement's objective to provide more affordable housing units is laudable; however, in analysing the various assumptions, policies and implementation methods established in the Statement and accompanying guidelines, three notable facts emerge. First, the Province has failed to take into account certain basic factors which are also responsible for the housing shortage. Second, the City of Hamilton has incorporated many of the Official Plan policies and Zoning By-law standards that the Province is suggesting. Third, the municipality will encounter difficulties in the implementation

of the Statement. This report will deal with each of these aspects separately.

3.0) GENERAL ASSUMPTIONS

There is no question that Ontario is facing a crisis in the provision of affordable housing. The reasons why such a shortage is occurring is complex since there are a variety of indirect and direct factors that are contributing to the problem. The draft Housing Policy Statement is an attempt to deal with the problem.

To start, the title of the Policy Statement is a misnomer in that it leads the reader to believe that it is a comprehensive housing strategy when in fact, it focuses on only one aspect of the problem; that being the land use planning process. It would be more appropriate to change the title to "Residential Land Use Policy Statement".

It is critical that the government develop an overall housing strategy instead of merely introducing a Policy Statement dealing with only one of the contributing factors the housing crisis. It is unlikely, in the short term, that an overall housing strategy will be implemented or made workable. In the interim, municipalities are expected to comply with the proposed Housing Policy Statement.

The policy statement fails to focus on three very important issues: affordability as an income problem rather than a supply problem; the existing housing stock; and rent controls.

3.1) Affordability:

The statement defines affordable as annual housing costs [rent or mortgage (based on 25% down payment), principle, interest, taxes etc.] which do not exceed 30% of gross annual household income. For example, if the household income was \$46,800 then they should be able to afford a \$133,500 house assuming a downpayment of \$33,375 [see Appendix 1]. (Source: Ministries of Municipal Affairs and Housing, Housing Policy Statement-Implementation Guidelines, Appendix I) The inherent flaw in this argument is that first time homebuyers cannot always afford to put down 25%, given that house prices are accelerating at a faster rate than income levels. In 1988, the price of houses in Hamilton increased by 20% over 1987.

Furthermore, the statement assumes that the basic

problem for homebuyers is the high cost of housing and not income levels. It is fair to say that the housing costs are rising far more quickly than the average wage rates, thus widening the gap between the two. To adequately attack the problem of affordability, the issue of income levels must be addressed by the Federal and Provincial Governments in the form of shelter allowances, tax credits or some other kind of subsidy rather than relying solely on the provision of affordable housing. The issue of affordability is especially critical for low income households.

3.2) Existing Housing Stock:

The existing housing stock in the Hamilton area plays a very important role in the provision of "affordable" units. The average price of homes for re-sale ranged from approximately \$72,092 to \$186,408 in December 1988 and the median price being \$115,000. (Source: Metropolitan Hamilton Real Estate Board, Summary of Multiple Listing Service Sales) These figures indicate that there is a supply of homes for those households with income in the middle to upper tier of the 30th to 60th percentile levels. Accordingly, the need to provide for those households within this income range is significantly less when the existing housing stock is considered. However, the Statement does not take this into consideration.

3.3) Rent Controls:

In 1975, the Provincial government introduced rent control as a stop gap measure to keep rent increases under control. Unfortunately, rent control has had a very serious affect on the supply of rental accommodation to the point where few units are being constructed, and those that are being constructed are being subsidized by some level of government. The vacancy rate in the Hamilton area has generally been declining since 1977: 4.3% to 0.1%. (Source: CMHC, Toronto Branch, Rental Apartment Vacancy Survey, various years) The Provincial Government must address this issue because many households are unable to purchase their own homes and renting is the only alternative. However, rental accommodation cannot be considered as a viable alternative if there are few units to rent. Given the potential role of market rental accommodations, the Province should reconsider rent control and the findings of the Thom Commission. Again, if a serious approach

to housing is to be taken, it must be comprehensive in scope and not selective as there are many elements in the housing market equation that are being overlooked by the Province's current approach.

3.4) CONCLUSIONS

- 1) The Provincial Government has recognized the importance of increasing the supply of affordable housing. However, the draft Housing Policy Statement does not appear to be able to achieve this goal; it merely amends the land use planning process to provide a favorable environment for the development of affordable accommodation. Instead of developing a Policy Statement dealing with only one aspect of the issue, it would be more appropriate for the Province to review all policies/programs and develop a comprehensive housing strategy.
- 2) The Housing Statement is too narrow in its focus and consequently fails to take into account three key factors which have a profound effect on affordable housing; namely,
 - a) that rent controls have an adverse impact on the supply of affordable housing and therefore, should be reconsidered;
 - b) that affordability is also an income problem rather than a solely a supply problem and thus, the government should establish shelter allowances for those in need; and,
 - c) that the existing housing stock plays an important role in the provision of affordable housing for moderate income families.

4.0) HOUSING STATEMENT POLICIES - HAMILTON'S POLICIES AND PROCESSES

As previously stated, the thrust of the statement is to require each municipality to amend their land use planning instruments and processes to provide a more favorable environment for the provision of affordable housing. Accordingly, its policies focus primarily on requiring municipalities to amend the Official Plan and Zoning by-law as well as Subdivision standards and Site Plan Control.

4.1) Official Plan Policies

According to the Statement, the Official Plan must focus on three specific areas of municipal planning: variety and mix of housing; supply of land; residential intensification; streamlining the approval process and monitoring policies.

4.1.1) Variety and mix of Housing

The City's Official Plan currently contains policies which promote the general development objective of a variety and mix of housing. Policies A.2.1.8 and C.7.3(iii) and (iv) encourage the provision of all types of housing forms for all income levels which is in keeping with the intent of the Statement.

Further, the Statement indicates that "to create the necessary policy base for a variety and mix of housing to be achieved, the municipality will have to review and, in many cases revise its official plan. Many current official plan policies perpetuate the homogenous character of residential neighborhoods through the separation of different types of land uses." The City of Hamilton's Official Plan is atypical in that the RESIDENTIAL designation is very general; it does not identify where specific dwelling types (ie. townhouses, single family, apartments) may be located.

The province has requested that Official Plans contain policies relating to the 25% affordable housing objective. This would include identifying specific areas within municipally defined planning units (ie. neighbourhoods) where affordable units would be located. In Hamilton's case, the Council adopted neighborhood plans (which identify land uses on a site by site basis) would be the implementing tool. However, to comply with the intent of the Statement, the City would have two choices: one, add a new map to the O.P. identifying the general locations of affordable housing (based on the neighborhood plan locations) or two, include neighborhood plans as secondary plans in the Official Plan. Option 1 is the preferred choice because it is easier to implement.

As mentioned previously, half of the affordable units are for those households from low income groups and the other half is for moderate income households. The Province is assuming that the need for housing is evenly split between these two income groups and it further assumes

that the affordable housing target of 25% minimum will meet the needs of the municipality. The danger in setting a provincial target is that it is not sensitive to the local conditions and needs. Accordingly, municipalities are better able to identify their own needs. This can be achieved through the preparation of Municipal Housing Statement; these Statements are approved by the Ministry of Housing. The intent of this document is to examine demand (present and future housing requirements) and supply (housing stock, development and redevelopment activity, availability of land) factors of the housing market. From this data housing problems are identified and priorities are set. The Planning and Development Department is currently preparing the Municipal Housing Statement for Hamilton and it is expected to be completed in the Fall of 1989. Based on the above, the Policy Statement should be flexible enough to allow each municipality to determine their own affordable housing targets.

4.1.2) Supply of Land

To ensure that an adequate supply of land is available for residential development, municipalities must designate lands for residential purposes to accommodate 10 years of projected growth. All lands within the City are designated in the Official Plan for urban purposes. Based on the current high development rate continuing, the City can easily accommodate 10 years of growth (based on average growth rate over the last 10 years) on the remaining undeveloped residentially designated lands. If redevelopment and conversions are considered, then the potential housing supply is much greater.

The Statement also requires Official Plans to include policies outlining the capacity of existing and proposed engineering services to accommodate the 10 year growth. The design of engineering services in the City is based on ultimate growth and the capacity is based on maximum densities. Accordingly, the future servicing potential represents a growth rate that is greater than 10 years. Furthermore, in 1984, the Official Plan was amended to replace the servicing policies relating to 'staging of development' with 'Development and Servicing Extension' policies. The old policies were seen as artificial barriers to development in that they restricted certain areas from being developed until adjacent areas were fully developed. The current policies are a logical approach to servicing in the City in that they encourage residential development where services are available.

Further, the draft Statement also requires, the O.P. to include a policy which would set a target of a minimum two year supply of draft approved and/or registered lots being available for residential development. The City of Hamilton currently has 3,542 draft approved and registered lots available (including townhouses, singles and two family dwellings. Based on the current high growth rate of 1,200 dwelling units per year, the City has an approximate three (3) year supply of potential lots.

4.1.3) Residential Intensification

The Province is encouraging municipalities to make better use of existing resources such as municipal services, old buildings, etc. Accordingly, Official Plans are to include policies on three specific areas: mixing of land uses; conversion of non-residential buildings into dwelling units and additional dwelling units within existing buildings.

By virtue of Hamilton's Official Plan policies A.2.2 and A.2.6.5, residential uses are permitted within Commercial and Major Institutional designations. Further, these policies encourage mixed use developments such as dwelling units located above stores. In addition, the City has recently amended the O.P. for the Central Area to provide more policy direction for the concept of mixed use and the provision of affordable housing.

The Official Plan is silent on conversion; however, both the City and private enterprise have demonstrated support for conversions as evidenced by the conversion of non-residential sites for residential purposes. For example, the old Wentworth Street School and the Ryerson school site were both developed for townhouses/apartments. The Municipal Non-Profit Housing Corporation converted the former and private enterprise built the latter. In addition, an old industrial site located in a residential area in West Hamilton was rezoned for residential purpose; thereby eliminating a land use conflict as well as providing the opportunity for infill residential development.

The Planning and Development Department is currently undertaking the Housing Intensification study which is dealing with the various actions the Statement has identified as possible housing alternatives; namely, the conversion of single family dwellings for additional units; the provision of granny flats, infilling etc. The

study will be completed in 1990, therefore, it is important for the study to be completed before Official Plan Amendments are initiated.

4.1.4) Streamlining the Development Approval Process

One of the greatest areas of concern for the provincial government appears to be length of time it takes to process development applications. "It has been argued that the decision making process takes longer than necessary resulting in increased cost to the proponent." Inevitably, the increased cost is passed onto the homebuyer. Accordingly, the Statement has identified sample targets for the completion of various aspects of the development approval process (see Appendix 2). Most of the sample targets are achievable with the exception of subdivision applications which take at least twice as long as the Province is suggesting given the complexity of the issues involved.

For the most part, the City of Hamilton processes development applications (ie. subdivision, zoning, severances, etc) within the elapsed time frames set out in the sample targets. Unlike many municipalities, the City of Hamilton processes applications in tandem. For example, if a subdivision requires an Official Plan amendment and a zoning change, the report submitted to the Planning and Development Committee will contain all the necessary changes. This enables the Committee to hold a single public meeting for both the Official Plan and zoning changes at the same time, render a decision and make recommendations to Council 13 days later. It should be noted that the City's process is considerably shorter than other municipalities.

In accordance with the Planning Act 1983, the City, in 1984, generated O.P.A. 15 which reduced the length of time required for the mailout of the public meeting notice from 30 to 17 days. This action further typifies Hamilton's commitment to shorter processing times.

In October 1987, the Ministry of Municipal Affairs delegated to the Region the responsibility of approving Official Plan Amendments for the area municipalities. This delegation has generally resulted in faster processing and approval of amendments than previously experienced.

It is Hamilton's experience that the bottlenecks in the process are waiting for comments on development applications from the various provincial ministries and

for the O.M.B. to set a hearing date for referrals.

To further streamline the development approval process, would jeopardize the municipality's ability to adequately assess environmental, neighborhood and other impacts. The Planning Act requirements were set in place to ensure that the development approvals process provides opportunities for public participation.

Establishing rigid processing times for development applications in the Official Plan is unnecessary. In many instances, the delays in the process are beyond the municipality's control or, in some cases, out of their jurisdiction. Therefore, some degree of flexibility in the development process should remain at the municipal level to ensure is able to absorb any potential delays without being in contravention with the Official Plan.

It appears that the Policy's Statement objective to reduce the processing times for development applications is aimed at other municipalities who hold 2 or 3 public meetings prior to making a Council decision.

4.1.5) Monitoring Policies

To determine the municipality's effectiveness in meeting the housing objectives, the Official Plan is to contain monitoring policies. Examples of such policies include; a comparison between actual growth/development and projected growth/development; a system to review the provision of housing in light of the 25% affordability, etc.. A review of the housing objectives would occur at least every five years but it is more likely that this review would be undertaken more frequently in higher growth areas. Inclusion of these policies in the Official Plan is not a concern for the City.

4.2) Zoning By-law

In accordance with the draft Statement's objective of increasing the supply of affordable housing through a more flexible land use policies and standards, a review of the zoning by-law would have to be undertaken in the following areas: the permitted uses within each district; development standards (ie. lot size, yard requirements etc.); and residential intensification. In addition, the Statement suggests that other innovative zoning techniques such as holding zones and bonusing be used.

4.2.1) Permitted Uses

The Statement claims that many municipalities have restrictive zoning districts in that they permit only one residential use in one district. This is generally not the case in Hamilton. The City's Zoning By-law is frequently referred to as a "pyramid" by-law in that uses in a low density residential district ("C" district) are permitted in higher density districts ("E" district). This pyramid system is effective in terms of permitting a variety of residential types within one zone, thereby minimizing the need to rezone. The townhouse districts ("RT-10", "RT-20", "RT-30" districts) and the low density residential districts ("B's", "C" and "R-4" districts) are more restrictive in that they only permit a limited number of uses.

4.2.2) Development Standards

The Statement requires municipalities to review their development standards to determine if they are excessive (ie. too many standards, too restrictive in their application) and/or unrealistic in today's housing environment.

Province has found that it is common practice in many municipalities in Ontario for zoning bylaws to contain minimum lot coverage and minimum dwelling unit sizes; these restrictions basically dictate the size of a house to be built. Hamilton's By-law does not contain these restrictions.

In addition, all by-laws contain minimum lot sizes, frontages, and yard requirements. These limits are necessary to avoid buildings located too close to each other as well as too close to the street. The requirements established by Hamilton cannot be considered too 'excessive' compared to other municipalities as illustrated below.

Requirement	Hamilton ("C" District)	Mississauga ("R-3" District)
Frontage	12 m	15 m
Front Yard	6.0 m	7.5 m
Side Yard	1.2 m	1.8 m
Rear Yard	7.5 m	7.5 m

To demonstrate Hamilton's commitment to providing

different development standards to meet the different housing needs of the market, the City offers an alternative to the traditional single family dwelling lots. The "R-4" district allows for zero lot line single family detached dwellings on 10 m (32 ft.) frontages. The density is greater than the average single family dwelling zones.

It is important to note that reducing the standards beyond a certain minimum to accommodate what may be a short term problem (lack of affordable Housing) could have very serious effects on the stability and character of residential neighborhoods.

4.2.3) Conversion Requirements (Intensification)

To encourage the provision of additional dwelling units within existing buildings, the Statement requires that the Zoning By-laws contain provisions to permit this to happen.

Section 19 - Converted Dwelling Requirements - of the City's Zoning By-law allows the conversion of a building for a greater number of dwelling units provided it meets certain criteria (ie. age of building, lot size, parking). The By-law can be considered fairly liberal in that it provides the opportunity for conversions if the building and lot size are suitable.

As previously mentioned, the Planning and Development Department is undertaking the Housing Intensification study. Part of the study will focus on the conversion standards in the zoning by-law. If a need to change the standards is identified, than a zoning by-law amendment will be initiated.

4.2.4) Holding Zone

In keeping with the intent of the Statement, the City has in recent years, used the holding zone as a means of permitting development which would otherwise not be permitted. For example, lands in the south mountain area have been rezoned but the holding 'H' symbol has been placed until full municipal services are available. The use of the holding zone allows the owner to develop his property immediately (for the intended use) once the services are installed, instead of delaying the rezoning process until after the services become available.

4.2.5) Bonus Provisions

The Statement encourage municipalities to use the bonusing technique for the provision of affordable housing. Bonusing is a zoning technique which allows a developer increased density/height on his lot, if he provides added amenities such as day care centers, additional landscaping etc included in the proposal. Other municipalities permit bonusing and have experienced many problems with the technique. If Hamilton is to make use of this technique in the context of affordable housing, a detailed feasibility study would be necessary to determine the appropriateness and circumstances when bonusing could be applied.

4.3) Subdivision Standards

The Policy Statement suggests that the municipality review both it engineering and planning subdivision standards in an attempt to reduce the cost of developing land. The Planning Standards as they relate to subdivisions (ie. lot widths, sizes etc.) have been addressed in other parts of the report with the exception of the parkland dedication.

4.3.1) Engineering Standards

The Engineering standards (road rights-of-way, sanitary and storm sewers, sidewalk widths, utility locations, etc) have been agreed to by the Region, the City and the utility companies. The standards are consistent with the standards set by the Association of Municipal Engineers and other organizations. They are considered to be current and are reviewed from time to time with amendments made as warranted.

Some of the changes the Province is suggesting have been investigated but not implemented due to long term maintenance costs. The Province suggests it could be economical to have all services using one utility corridor. Each utility has their own corridor to ensure that damage would not be caused to other utilities when repairs are undertaken, for example.

Other changes the Statement suggests, such as the location of sidewalks, have already been implemented by the Region and City. In 1986, the Region amended its policy on the installation of sidewalks making them optional in cul-de-sacs and crescents.

4.3.2) Planning Standards

The Statement suggests that municipalities ensure that parkland dedication and open space requirements do not exceed anticipated needs. In 1985, a study by DuToit Associates compared the Official Plan standards with the existing parkland in the City. The study identified that the City has a very small surplus (5 ac.) of neighborhood parkland (this includes undeveloped lands as well) and a deficit of 46 ac. in Community Parkland. (Source: DuToit and Associates Ltd., Leisure Master Plan: Analysis and Alternative Directions, 1985, p.7-62) Based on this study, parkland dedication does not exceed the City's needs.

4.4) Site Plan Control

The Province suggests that Site Plan Control not be applied to low and medium density residential developments. In the City's case, one and two family dwellings are exempt, whereas townhouses and apartments are required to enter into development agreements with the municipality. Site Plan Control is necessary to ensure that compatibility is maintained between uses; especially where medium density abuts low density uses given the potential for impacts (ie parking, landscaping, access driveways, building locations, etc.). It will become an increasingly important in the future if more medium density developments are to be constructed. Accordingly, the City's Site Plan Control By-law should not be changed.

Regardless of the draft Provincial Housing Policy Statement, the City should continue to investigate ways and means of streamlining the site plan approval process. Consideration should be given to hiring additional staff to comment on all aspects of the site plan, not only the preparation of staff reports and execution of the plan.

4.5) CONCLUSIONS

- 1) The City already complies with many of the policies set out in the Statement; specifically,
 - a) the Official Plan encourages a range of housing types for all levels of income;
 - b) the Official Plan designates lands for residential development for a growth period that exceeds 10 years;
 - c) the City has approximately a 3 year supply of draft approved and registered lots for all housing types;

- d) the O.P. servicing policies do not inhibit residential growth;
- e) the servicing plan for the City is designed for a growth period in excess of 10 years;
- f) the Zoning By-law is flexible in that it provides for a range of housing types within one district and the development standards contained within each district are minimal;
- g) the Zoning By-law allows conversion to additional dwelling units for older units only;
- h) the Holding symbol 'H' is used, where necessary, to permit development once full municipal services are available;
- i) the development approval time frame targets established by the Province are similar to the City's targets with the exception of the subdivision time frames;
- j) the subdivision engineering standards are up-to-date and if a change to the standards is identified than amendments to the Regional By-law will be made; and,
- k) the open space requirements and the parkland dedication do not exceed the needs of the City.

2) As indicated above, the City is one step ahead of the Province in providing the opportunity for affordable housing through the land use planning process. However, the following actions are required to fully meet the intent of the draft Statement:

- a) the completion of both the Housing Intensification Study and the Municipal Housing Statement prior to Official Plan and zoning by-law amendments being initiated; and,
- b) the addition of a new map in the Official Plan to identify areas of affordable housing or to incorporate all neighborhood plans as Secondary Plans in the Official Plan. and,
- c) the introduction of new Official Plan policies regarding the 25% affordable target, monitoring policies etc.

- 3) The Province has indicated that the proposed amendments to the Official Plan and Zoning By-law etc. will provide the OPPORTUNITY for the provision of affordable housing. However, without the co-operation of private enterprise, the realization of the Policy Statement cannot and will not be achieved.

5.0) IMPLEMENTATION DIFFICULTIES

Although the housing Policy Statement is clear in its objective, the its realization will be difficult and in certain areas may not be possible. Many of the flaws of the Statement and its implementation may be resolved through the development of a more comprehensive housing policy framework at the provincial level. Some examples of the implementation difficulties are highlighted below.

- a) The municipality is expected to identify housing dwelling types which are considered to be 'affordable' within the income ranges set out by the Province. A pro forma analysis, taking into account the local market conditions, would have to be undertaken to determine the feasibility of constructing those types of dwelling units. There are no guidelines available as to how the municipality will undertake this analysis.
- b) Both the Province and the municipality will have to launch a public education program aimed at dispelling the fears that the construction of 'affordable' housing will decrease property values, increase vandalism etc.. It is critical that the NIMBY (not in my backyard) syndrome is eliminated if the provision of medium and high density affordable units is to be achieved.
- c) To increase the supply of lots available for the construction of affordable housing, the Provincial Government should review its current policy on the sale of land at market value. The sale of provincial land at market value can set the selling price for lands held in the private ownership often creating artificially high land values. The Province could sell their land at below market value through the use of such methods as a design competition. The winner of the competition would be able to purchase the land.
- d) The province should reconsider its position on the land speculation tax. A speculation tax would help reduce the cost of both serviced and raw land by shutting the door on speculators; in turn, this could lead to a reduction

in the cost of housing.

- e) The Province should undertake a study on lot levies (especially in light of the proposal by the Provincial Treasurer suggesting additional lot levies for education and health care) to determine if there are alternative methods to finance municipal infrastructure.
- f) It is beyond the capability of many municipalities to accelerate the extension of engineering services. A financial commitment from the Province is required if services are to be expanded. This commitment would have to be made available both to the City of Hamilton as well as developers since there is a cost sharing program in place in the region.
- g) Given that the burden to provide affordable housing for low income households rests with municipal governments and non-profit agencies, the Province must increase the Maximum Unit Price's (M.U.P.'s) on a regular basis to reflect the escalating land costs and increased construction costs. At the present time, a large percentage of the M.U.P.'s go toward the land costs leaving only a small amount for the actual construction of the units. Good quality housing, which at the onset may be more expensive, is more cost effective in terms of long term maintenance.

5.1) CONCLUSION

While the objective of the Statement to increase the supply of affordable housing for low and moderate income households is worthy of active support, the implementation of the Statement is fraught with difficulties. For example,

- a) the Province will have to work together with the municipality to increase the acceptance of 'affordable' housing, by the general public, in all areas of the City;
- b) there are a number of existing programs and policies that influence the housing market. In this regard, the Province should review all housing initiatives with a view:
 - i) introducing a land speculation tax;
 - ii) re-examining the existing lot levy system;
 - iii) selling provincial lands at a below market value; etc.
 - iv) providing additional funding to municipalities and developers to off set the cost resulting from an accelerated expansion of services.

- c) there are no guidelines available to assist the municipalities in identifying the types of units to be built which would comply with the affordable income ranges the Province has established.
- d) the current M.U.P.'s are too low. A large percentage of the money goes towards the cost of land, accordingly, there is only a small amount available for housing construction. The M.U.P.'s must be updated on a regular basis to reflect the cost of housing (land and construction).

APPENDIX 2

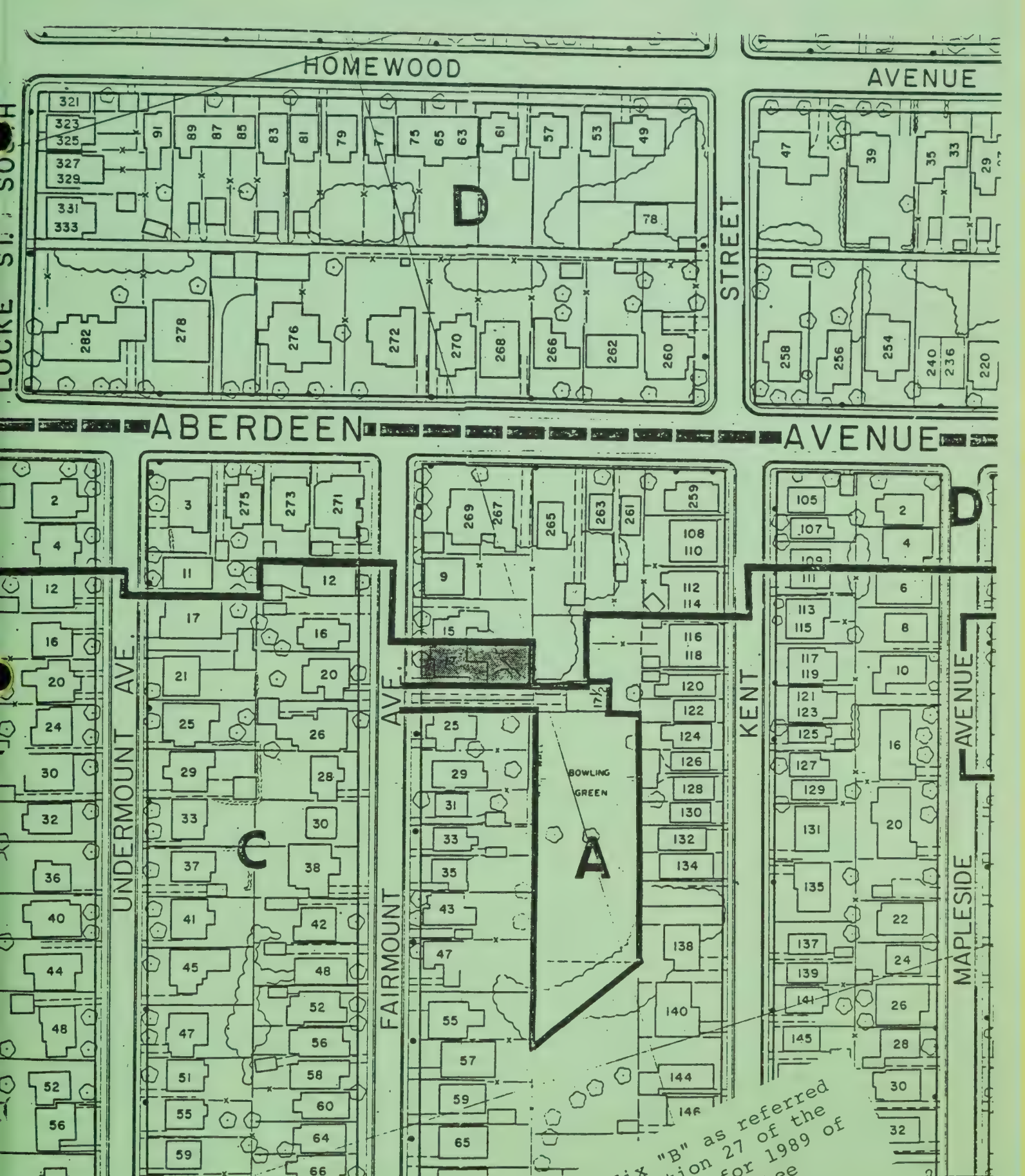
<u>Application</u>	<u>Provincial Target</u>	<u>Hamilton Time Frame</u>
O.P.A.	Council Decision 4-9 months	Council Decision 2-4 months Full approval (no objections) 7 months Full approval (minor objections) 9-10 months O.M.B. approval 9-15 months
Zoning By-law	Full approval 4 months	Full approval (no objections) 4-6 months O.M.B. approval 9-15 months
Subdivision	Council comment 2 months	Council comment 4-5 months Draft approval 5-6 months
Condominium	Council comment 2 months	Council comment 3 months Draft approval 4 months
Severance	Committee Decision 1.5 months	Committee Decision 1 month
Minor Variance	Committee Decision 1.5 months	Full approval 2 months

1

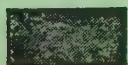
ASSUMPTIONS:						
GDS=	30.0%	of income				
Taxes=	0.10%	of House Value				
Amortization=	25	years				
Downpayment=	25.0%					
Mortg Rate=	12.0%					
Mortg Factor=	0.0103					
	30th	Affordable	Affordable	60th	Affordable	Affordable
Region	Percentile	Price	Rent :	Percentile	Price	Rent
Toronto	\$26,500	\$75,500	\$660 :	\$47,500	\$135,500	\$1,180
Oshawa	\$31,300	\$89,500	\$780 :	\$49,600	\$141,500	\$1,240
Kitchener	\$24,400	\$69,500	\$610 :	\$43,600	\$124,500	\$1,090
Hamilton	\$26,800	\$76,500	\$670 :	\$46,800	\$133,500	\$1,170
St. Catharines:	\$22,600	\$64,500	\$560 :	\$39,800	\$113,500	\$990
London	\$22,400	\$64,000	\$560 :	\$40,400	\$115,500	\$1,010
Windsor	\$19,700	\$56,000	\$490 :	\$43,100	\$123,000	\$1,070
Ottawa	\$29,500	\$84,000	\$730 :	\$52,800	\$151,000	\$1,320
Sudbury	\$26,800	\$76,500	\$670 :	\$44,100	\$126,000	\$1,100
Thunder Bay	\$26,700	\$76,000	\$660 :	\$48,400	\$138,000	\$1,210

- (1) Income values have been rounded down to the nearest 100.
- (2) Affordable prices have been rounded down to the nearest 500.
- (3) Affordable rents have been rounded down to the nearest 10.
- (4) Income data are 1988 estimates based on multiplying 1986 incomes by CPI for 1986-87 (0.08).

SOURCE: Statistics Canada, 1987 Survey of Consumer Finance, unpublished data.

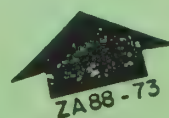


Legend



Site of the Application

Appendix "B" as referred
to in Section 27 of the
FIFTH Report for 1989 of
the P & D Committee



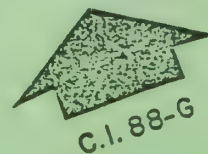


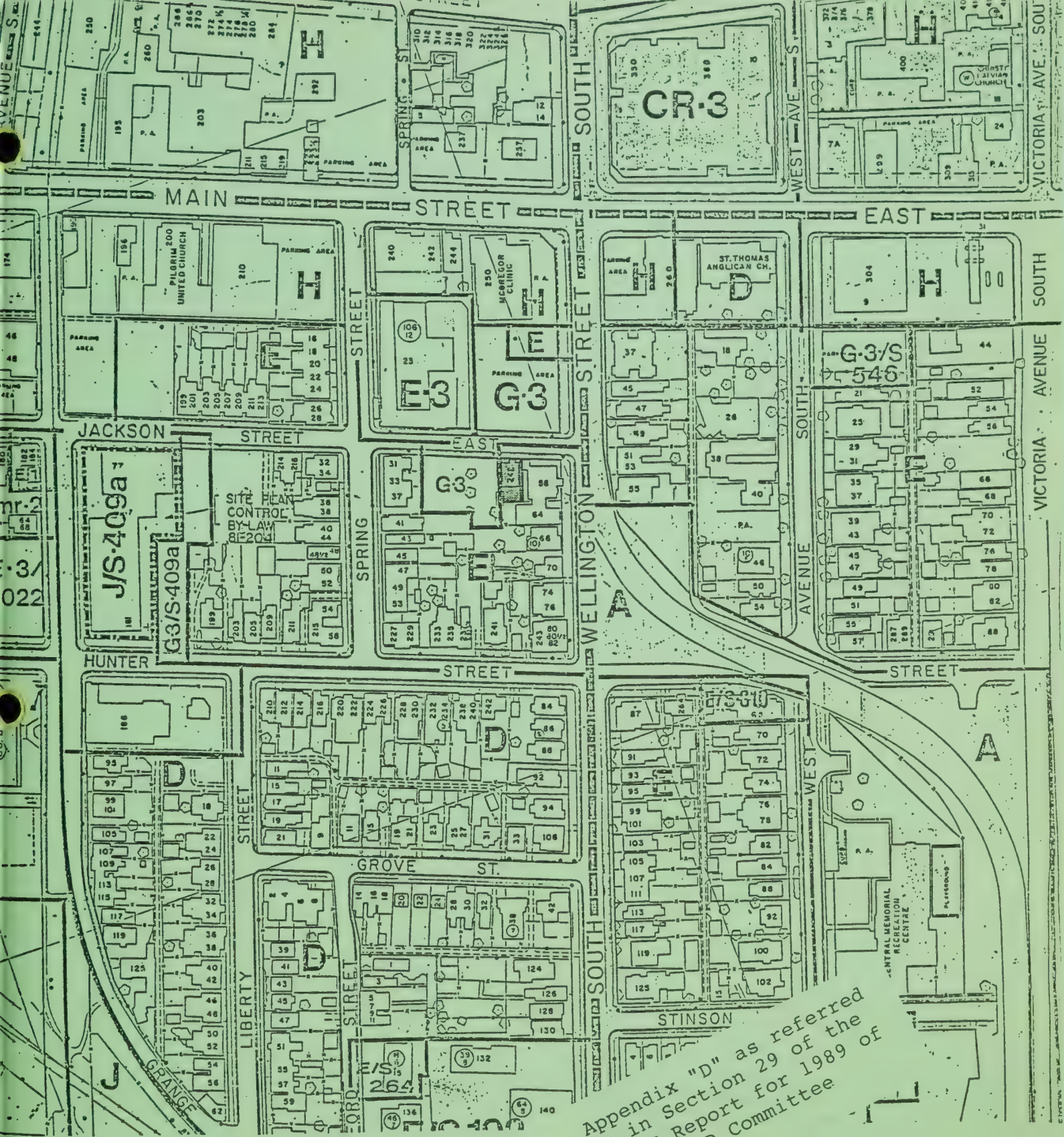
LEGEND



SITE OF THE APPLICATION

Appendix "C" as referred
to in Section 28 of the
FIFTH Report for 1989 of
the P & D Committee



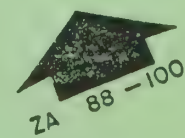


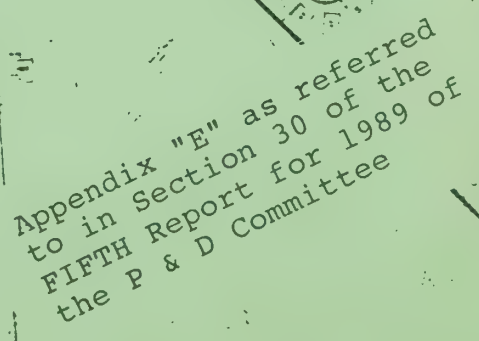
Legend



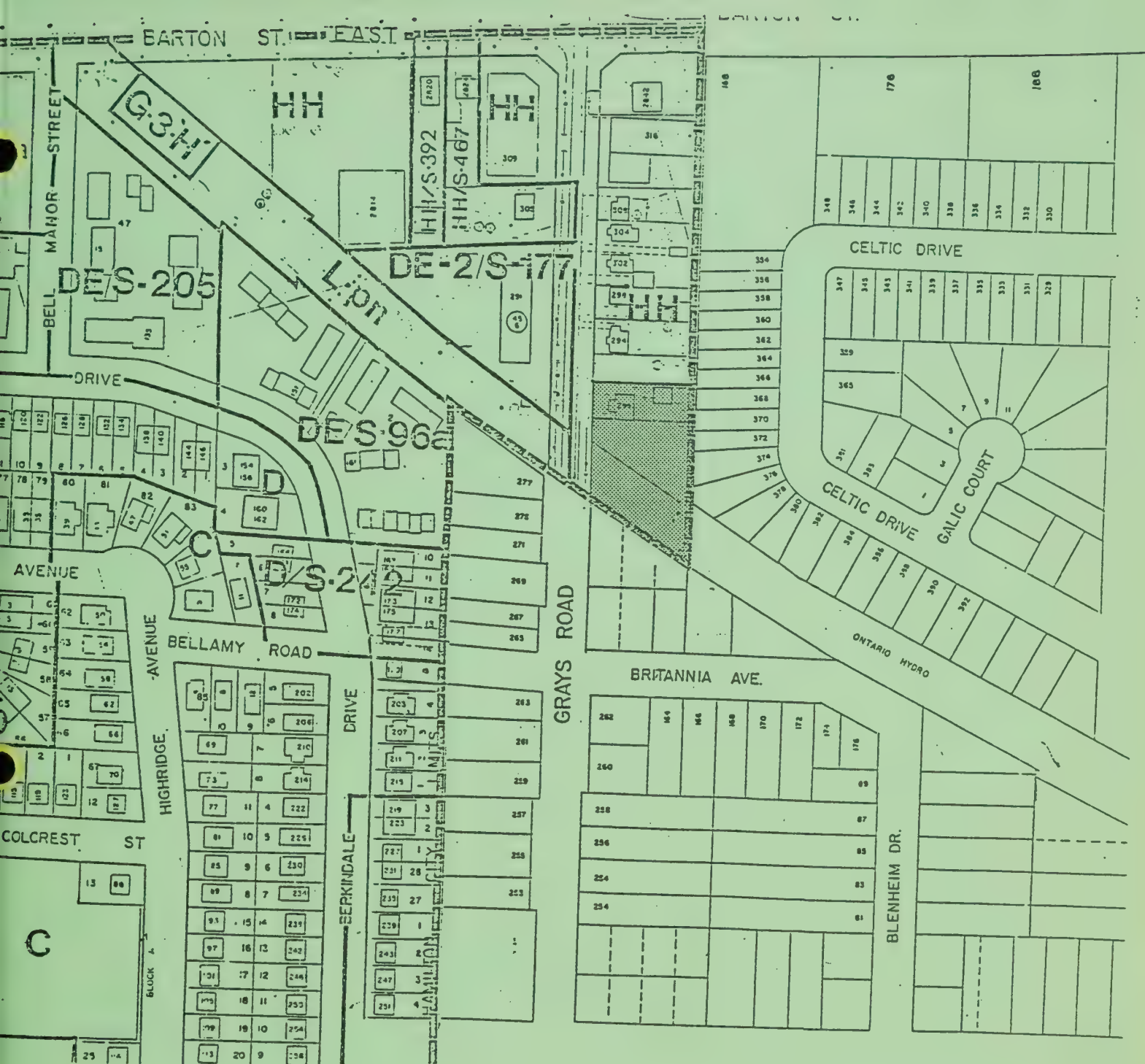
Site of the Application

Appendix "D" as referred
to in Section 29 of the
FIFTH Report for 1989 of
the P & D Committee





APPENDIX A



Legend



Site of the Application

Appendix "F" as referred
to in Section 31 of the
FIFTH Report for 1989 of
the P & D Committee



REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its THIRD Report for 1989 and respectfully recommends:

1. That permission be granted to the Hamilton Power and Sail Squadron to use the City Hall Council Chambers on Wednesday, 1989 February 22 at 2:00 o'clock p.m. for a ceremony in honour of the 50th Anniversary of the inception of the Canadian Power and Sail Squadron.
 2.
 - (a) That permission be granted to the Salvation Army (Hamilton Temple) to use the front canopy area of City Hall for their Summer Series of Outdoor Services each Sunday evening from 1989 June 18 to 1989 August 27.
 - (b) That permission be granted to the "Salvation Army to use 150 City Hall chairs and a piano.
- Note:** No staff time is required for "set up and removal" as this equipment is set aside on Friday evening and the members of the Salvation Army ensure that everything is properly set up and cleared away. The P.A. System and podium are provided by the church.
3. That the request of the Lithuanian Canadian Community, Hamilton Branch for permission to fly the Lithuanian flag in commemoration of the independence of Lithuania from 1989 February 12 to February 16, be approved.
 4. That permission be granted to the Heart and Stroke Foundation of Ontario to fly their flag at City Hall during the month of February which was been proclaimed Heart and Stroke Month.

5. That the Ontario Heritage Foundation be permitted to display a Heritage Day flag in front of City Hall on Monday, 1989 February 20 with the following message in both English and French:

"Ontario's Heritage
Take it to Heart"

Respectfully Submitted,

Alderman V. J. Agro, Chairman
Legislation Committee

John Thompson, Secretary
1989 February 06

mjl

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **FOURTH** Report for 1989 and respectfully recommends:

1. That purchase orders be issued for the supply and delivery of safety equipment, rainwear, traffic cones and vests as and when required to Purchasing Stores in 1989, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

(a) Armour Protection, Hamilton

traffic vests \$ 8.68 each

Note: Lowest of thirteen (13) tenders received.

(b) Safety Express, Oakville

28" traffic cones \$ 9.95 each

Note: Lowest of thirteen (13) tenders received.

(c) Lawlor & Company, Hamilton

(i) medium, large and x-large rain pants \$ 11.55 each

(ii) medium, large and x-large rain jackets \$ 13.05 each

(iii) medium, large and x-large long rain coats \$ 19.35 each

(iv) rain hats \$ 3.15 each

Note: (i) and (ii) Lowest of six (6) tenders received

(iii) and (iv) Lowest of five (5) tenders received.

(d) Acklands Limited, Hamilton

(i)	respirator face pieces	\$ 16.85 each
(ii)	respirator cartridges 7500-1 and 2	\$ 18.58 each
(iii)	respirator cartridges 7500-4	\$ 26.04 each
(iv)	filter cartridges 7500-7	\$ 16.52 (6)
(v)	filters 7500-8	\$ 17.30 (4)
(vi)	filters 7500-83	\$ 15.95 (2)
(vii)	filters N7500-6B	\$ 44.35/C
(viii)	filters N7500-10B	\$ 59.13/C
(ix)	filter holders	\$ 1.76 each
(x)	filter covers	\$.93 each
(xi)	filter assemblies	\$ 4.61 (2)
(xii)	filter pesticides	\$ 66.22/C
	provincial sales tax extra at 8%	

Note: Lowest acceptable of eleven (11) tenders received.
Funds provided in various stock inventory accounts.

2. (a) That the following resolution which was adopted by City Council on 1987 July 28, be rescinded.

That a purchase order be issued to Armoured Transport of Canada, Concord for the transporting and storage of monies for City Hall to 1988 December 31, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, at the following prices:

Cost per month \$330.00
Special Pickups \$ 23.50

Note: Lowest of three (3) tenders received.
Funds provided in Transportation of Monies
Account No. 0323-0944.

- (b) That the Treasurer be authorized to enter into a two year contract represented by a 4% increase in both 1989 and 1990 with Brinks Canada Limited for the transportation of monies to and from City Hall effective 1989 January 01.

Note: On 1987 July 28, City Council approved the issuance of a purchase order to Armoured Transport of Canada for the transportation of monies to and from City Hall, subsequent to that approval, the City received a copy of an order from the Ontario Highway Transportation Board denying an application from this company for an extra provincial operating licence and a class "D" operating licence.

In view of the circumstances, the City agreed to continue this service with Brinks under a clause in the existing contract which provided for continuance until either party terminated the control upon 30 days notice. The Treasurer also turned this matter over to the City Solicitor and to the best of the Treasurer's knowledge, this company has never provided them with sufficient documentation to clarify the status of their licence.

3. That the Treasurer be authorized to increase the fee for the issuance of subdivision compliance letters from the present rate of \$15 per enquiry to a rate of \$20 per enquiry effective 1989 March 01.

Respectfully Submitted

Alderman W. M. McCulloch, Chairman
Finance Committee

John Thompson, Secretary
1989 February 07

mjl

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its SECOND Report for 1989 and respectfully recommends:

1. That the Cab Driver Licence application of Roger Crowder, 29 Oxford Street, Hamilton, be denied.

NOTE: For the information of Members of City Council, the City of Hamilton Licensing Committee, at its meeting held 1989 January 18, recommended that the licence application be denied on the grounds of the applicant's recent, extensive and violent criminal record. (Further information can be obtained from the Secretary.)

RESPECTFULLY SUBMITTED

ALDERMAN D. CHRISTOPHERSON
CHAIRMAN
LICENSING COMMITTEE

Stella M. Glover
Secretary
1989, January 18

/jc

CAY ON HBL AOS
A31

E. A. SIMPSON
CITY CLERK

K. E. AVERY
DEPUTY CITY CLERK



CITY HALL
HAMILTON, ONTARIO
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1989 February 28
7:30 o'clock p.m.
Council Chambers, City Hall

JT:mjw

A G E N D A

1. Opening Prayer

Reverend Datev Melengitchian
St. Mary's Armenian Church
6 Mayhurst Avenue

2. Proclamation

Red Cross Month, 1989 March 1 to March 31

3. Presentations - Certifications of Recognition

Arts Advisory Sub-Committee

Mr. Lawrence Hobbins
Ms. Jacqueline Munro
Ms. Katherine Porter

Canadian Football Hall of Fame and Museum Management Committee
Mr. William Tidball

Crystal Palace Sub-Committee

Mr. Murray Aikman
Alderman Don Drury
Alderman Tom Jackson

Hamilton Entertainment and Convention Facilities Inc.

Mr. Duncan Beattie
Mr. Sam Cino

Hamilton Historial Board

Ms. Rita Michael

Hamilton Region Conservation Authority
Mr. Keith Anderson

Licencing Committee
Mr. Albert McGurk

Parks and Recreation Citizens' Advisory Sub-Committee
Mr. Gene Kwiatowski

4. Minutes

1989 February 14
5. Correspondence
6. Reports of the Standing Committees - attached
 - (a) Co-ordinating Committee
 - (b) Transport and Environment Committee
 - (c) Parks and Recreation Committee
 - (d) Planning and Development Committee
 - (e) Legislation Committee
 - (f) Personnel Committee
 - (g) Finance Committee
 - (i) Information Systems Committee
7. Notice of Motion for Next Meeting
8. First Reading of the Bills
9. Second Reading of the Bills - Committee of the Whole
10. Third Reading of the Bills
11. Question Period
12. Adjournment

M I N U T E S

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, FEBRUARY 14, 1989
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps,
Christopherson, Agostino, Smith, Jackson, Merling, Gallagher,
Ross, Murray.

His Worship Mayor Robert M. Morrow called the meeting to order.

It was moved by His Worship Mayor Robert M. Morrow and seconded by Alderman Gallagher.

RESOLVED: that Rule 5 of Procedural By-law 82-203 be invoked for this meeting of City Council. - CARRIED.

* * * * *

The minutes of the meeting of January 31, 1989, were taken as read and approved.

* * * * *

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Adisco Limited, 158 Hester Street, Hamilton, Ontario, for a change in zoning, property located in the area south of Stonechurch Road East, east of the Hydro Right-of-Way, dated January 31, 1989.
2. Application from Starward Homes Limited, 152 Hester Street, Hamilton, Ontario, for a change in zoning, property located on the north side of Stonechurch Road West, in the area east of Garth Street, dated January 31, 1989.
3. Application from Giovanni Marazato, 142 Stonechurch Road West, Hamilton, Ontario, for a change in zoning, property located at 142 Stonechurch Road West, dated February 3, 1989.
4. Application from DeMarchi Construction Limited, 278 Barton Street East, Stoney Creek, Ontario, for a change in zoning, property adjacent to No. 291 Grays Road, dated February 7, 1989.
5. Application from DiCenzo Construction Co. Ltd., 205 Quigley Road, Unit 2, Hamilton, Ontario, for a change in zoning, property located on the south side of Rymal Road East and east of Miles Road, dated February 7, 1989.

* * * * *

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Ross in the chair.

* * * * *

(A) CO-ORDINATING COMMITTEE - FOURTH REPORT.

* * * * *

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTH REPORT.

Recorded vote on Section 10.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: Alderman Copps. - 1. CARRIED.

* * * * *

It was moved by Alderman Jackson and seconded by Alderman Smith.

RESOLVED: that Section 6 of the SECOND Report of the Transport and Environment Committee, adopted by City Council at its meeting held January 31, 1989, reading as follows:

"6. (a) That the City of Hamilton discontinue supplying potable water to rural areas; and

(b) That the residents be notified 1 month in advance of the discontinuance of water deliveries.

NOTE: i. the delivery of water costs the City of Hamilton approximately \$25,280. to service approximately 18 residences

ii. not all of the revenue from the delivery of the potable water is readily forthcoming from these residents

iii. other local area municipalities do not get involved with the delivery of potable water to rural residences"

be reconsidered. - CARRIED.

* * * * *

It was moved by Alderman Jackson and seconded by Alderman Smith.

RESOLVED: that Section 6 be referred back. - CARRIED.

* * * * *

(C) PARKS AND RECREATION COMMITTEE - FOURTH REPORT.

It was moved by Alderman Murray and seconded by Alderman Gallagher.

RESOLVED: that Section 7, reading as follows:

"7. That the City Solicitor be authorized and directed to re-apply to the Ontario Municipal Board for approval of funding in the amount of \$6,605,000. to construct a Twin Pad Arena/Track complex at the Olympic Park location on Mohawk Road West and Upper Horning Road." -

be deleted and the following substituted in lieu thereof:

"7. That City Council reconfirm its decision for a multi-purpose Community Sports Complex on the West Mountain, subject to receipt of the Consultants' Report on the Short, Medium and Long Term Needs for Community Arena Facilities, and that staff take all necessary steps to ensure adequate funding within the 1989-1994 Portion of the Capital Budget." - CARRIED.

* * * * *

It was moved by Alderman Gallagher and seconded by Alderman Murray.

RESOLVED: that Section 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider the addition of Section 9 dealing with 1989 golf fees for Chedoke and King's Forest Golf Courses. - CARRIED.

* * * * *

It was moved by Alderman Gallagher and seconded by Alderman Murray.

RESOLVED: that the following be added as Section 9.

"9. That the following adjustments be made to the 1989 golf fees for Chedoke and King's Forest Golf Courses:

*(i) membership fees be increased by 5% across-the-board.

** (ii) green fees be increased by \$1.00.

*** (iii) no change to the 30% surcharge for out-of-town fees.

*Recorded vote on Sub-Clause (i).

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

**Recorded vote on Sub-Clause (ii).

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

***Recorded vote on Sub-Clause (iii).

YEAS: Aldermen Cooke, McCulloch, Smith, Jackson, Gallagher, Ross, Murray. - 7.

NAYS: Aldermen Kiss, Agro, Hinkley, Drury, Copps, Christopherson, Agostino, Merling. - 8. LOST.

* * * * *

(D) PLANNING AND DEVELOPMENT COMMITTEE - FIFTH REPORT.

Alderman D. Ross declared personal interest in, took no part in the debate, and refrained from voting on Section 6 as his wife owns a store on Ottawa Street.

* * * * *

It was moved by Alderman Murray and seconded by Alderman McCulloch.

RESOLVED: that Section 21 be amended by adding the following, after the word "staff" in the fourth line:

"That the Alderman of the particular Ward who does not sit on the Planning and Development Committee be also notified unless he or she indicates otherwise." - CARRIED.

* * * * *

Recorded vote on Subsection (a) of Section 26.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Christopherson, Agostino, Smith, Jackson, Merling, Ross. - 11.

NAYS: Alderman Murray. - 1. CARRIED.

* * * * *

Recorded vote on Sub-Clause (i) of Subsection (a) of Section 26.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Agostino, Smith, Jackson, Merling, Ross, Murray. - 11.

NAYS: Alderman Christopherson. - 1. CARRIED.

* * * * *

(D) PLANNING AND DEVELOPMENT COMMITTEE - FOURTH REPORT.

It was moved by Alderman Gallagher and seconded by Alderman Christopherson.

RESOLVED: that Section 2, respecting the composition of the Municipal Non-Profit (Hamilton) Housing Corporation, which was adopted by City Council on January 31, 1989, be reconsidered. - CARRIED.

* * * * *

It was moved by Alderman Gallagher and seconded by Alderman Christopherson.

RESOLVED: that Section 2 be amended by deleting the figure "5" before the words "Citizen Members" in the third line and substituting in lieu thereof the figure "6" and, further, by adding the following as Subsections (a) and (b).

"(a) That the terms of office for the 6 Citizen Members be staggered so as to provide for 2 members' term of office to expire November 30 each year.

(b) That the Municipal Non-Profit (Hamilton) Housing Corporation elect its own Chairman annually." - CARRIED.

* * * * *

It was moved by Alderman Gallagher and seconded by Alderman Christopherson.

RESOLVED: that Section 2 be adopted, as amended. - CARRIED.

* * * * *

(E) LEGISLATION COMMITTEE - THIRD REPORT.

* * * * *

(G) FINANCE COMMITTEE - FOURTH REPORT.

* * * * *

(H) LICENSING COMMITTEE - SECOND REPORT.

* * * * *

It was moved by Alderman Agostino and seconded by Alderman Christopherson.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution dealing with Ivor Wynne Stadium and the Hamilton Tiger-Cat Football Club. - CARRIED.

* * * * *

It was moved by Alderman Hinkley and seconded by Alderman Drury.

RESOLVED: 1) That the City of Hamilton enter into a contract with Mr. D. O. Braley, In Trust, for a Corporation yet to be incorporated, and without personal liability, for the leasing of Ivor Wynne Stadium and his acquisition of the Hamilton Tiger-Cat Football Club and, further, that the following items be agreed upon in order to facilitate Mr. Braley's acquisition of the Hamilton Tiger-Cat Football Club:

2) That Maple Leaf Gardens offer to sell the scoreboard and the concession equipment at Ivor Wynne Stadium to either the City of Hamilton or the Hamilton East Kiwanis Club. The sale price to be \$500,000.00 for the scoreboard and \$200,000.00 for the concession equipment. Maple Leaf Gardens in turn will donate the sum of

\$700,000.00 to either the City of Hamilton or the Hamilton East Kiwanis Club in return for a tax receipt in the said amount of \$700,000.00.

- 3) That, in return, the Corporation of the City of Hamilton issue a Release and Waiver with respect to the application of Maple Leaf Gardens for its use of Ivor Wynne Stadium and the Municipal Golf Courses owned and operated by the City of Hamilton, both with respect to the Hamilton Tiger-Cat Football Club and to the concession businesses for the year 1988 and, further, that the City release the Letter of Credit which secures these applications which was issued by Maple Leaf Gardens through the Toronto Dominion Bank.
- 4) That the City enter into an Agreement with the new owners of the Hamilton Tiger-Cat Football Club for the leasing of Ivor Wynne Stadium and the operation of the concessions at the Stadium, and to give them all advertising rights at the Stadium, including advertising on the scoreboard, for the nominal sum of \$1.00 per annum.
- 5) That the City of Hamilton actively participate in the reduction of the deficit of the Hamilton Tiger-Cat Football Club by:
 - (a) making available its facilities at reasonable rates to the Hamilton Tiger-Cat Football Club (facilities such as Copps Coliseum, and the Convention Centre), for the purpose of conducting fund-raising events.
 - (b) supporting, with Provincial approval, of Bingo Licences, etc., by the Hamilton Tiger-Cat Football Club, to be used for fund-raising.
 - (c) that the City participate, through the Hamilton Tiger-Cat Football Club, with the marketing, promotion, and purchase of advertising, in an amount not to exceed \$300,000.00 per annum for three (3) years 1989-1991, all for the purpose of helping to reduce the deficit.

The City will also acquire, place, and own ten billboards at a cost not to exceed \$125,000.00 to be placed in Ivor Wynne Stadium which will be used and controlled by the owners of the Hamilton Tiger-Cat Football Club.
 - (d) That, in the event the Football Club is operated as a commercial venture and an operating profit is derived and/or a capital gain is realized from the sale of the franchise, the City's financial contribution must first be repaid.
- 6) That the Hamilton Tiger-Cat Football Club explore, as soon as is practical, a non-profit status for the organization.
- 7) That the financial records of the Football Club be open for inspection by the City at any time. -

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Drury, Christopherson, Agostino, Jackson, Gallagher, Ross, Murray. - 11.

NAYS: Aldermen Kiss, McCulloch, Copps, Smith, Merling. - 5. CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Jackson, Merling, Murray. - 11.

NAYS: 0 - CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-8,
B-29, B-30, B-31, B-32,
D-16, D-17, D-18, D-19, D-20, D-21, D-22 - CARRIED.

* * * * *

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Ross in the chair.

A-8,
B-29, B-30, B-31, B-32,
D-16, D-17, D-18, D-19, D-20, D-21, D-22.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time.

A-8,
B-29, B-30, B-31, B-32,
D-16, D-17, D-18, D-19, D-20, D-21, D-22.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Ross, Murray. - 13.

NAYS: 0 - CARRIED.

City Council adjourned at 11.40 o'clock, p.m.

* * * * *

REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its FIFTH Report for 1989 and respectfully recommends:

1. That the City's Share of Services to be installed in "Highridge Hills - Stage 2" in the gross amount of \$34,044.39, as approved by City Council with the adoption of Section 15 of the FOURTH Report of the Transport and Environment Committee on February 14, 1989, be financed from the Reserve for City's Share of Services Through Unsubdivided Lands, Account No. RF 59003 25207.

NOTE: This project is included in the preliminary 1989-1993 Capital Budget and scheduled to commence in 1989.

The amount of \$19,769.15 from the total estimate of \$34,044.39 for this project will be recovered when the lands adjacent to the one foot reserve are developed.

2. That the City's Share of Services to be installed in "Rexford Gardens - Phase 2" in the gross amount of \$10,580.00, as approved by City Council with the adoption of Section 14 of the FOURTH Report of the Transport and Environment Committee on February 14, 1989, be financed from the Reserve for City's Share of Services Through Unsubdivided Lands, Account No. RF 59003 25207.

NOTE: This project is included in the preliminary 1989-1993 Capital Budget and scheduled to commence in 1989.

The additional funds will not be recovered when the lands adjacent to the one foot reserve are developed.

3. That leave be granted to introduce the following Bill:

- (a) Bill A-9 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW
CHAIRMAN
CO-ORDINATING COMMITTEE

J. J. Schatz
Secretary
1989 February 23

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its FIFTH Report for 1989 and respectfully recommends:

1. That the Public Works Department annually endeavour to make Arrangements with the Royal Botanical Gardens to recycle Christmas trees rather than hauling the Christmas trees to SWARU for incineration.
2. That the City of Hamilton continue supplying potable water to residents in the rural areas in Ward Six.
3. That an Option to Purchase the southerly portion of 1368 Upper Wellington Street, duly executed by Romano Pecora on February 9, 1989 and scheduled for closing on or before April 24, 1989 be approved and completed.

NOTE: The subject property is required by the City for roadway purposes and is composed by part of Lot 13, Concession 7, in the former Township of Barton, now in the City of Hamilton. The Subject property having a width of 20.11 metres (66 fee) and a depth of 115.82 metres (380 feet), containing an area of 2,329.93 square metres (25,080 square feet), more or less, comprising the southerly 20.11 metres (66 feet) of Municipal No. 1368 Upper Wellington Street. The Purchase price of \$80 000 is to be charged to Account No. RF53003 25202.

4. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and Tonoga Limited for the collection of garbage at 337 East 42nd Street, Hamilton.

NOTE: This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. This City's Garbage By-law No. 66-182 provides for such collection.

5. That the City Clerk be authorized and directed to:
- (a) give Notice of the City's application for approval to expropriate for roadway and municipal purposes, a parcel of vacant land measuring approximately 33.72 metres (110.63 feet) by 20.00 metres (65.62 feet), fronting on the southerly limit of Carson Drive, approximately 60 metres (196.85 feet) east of the easterly limit of Kingsberry Street, described more particularly as Part 1 on Plan 62R-10027. This notice shall be given to all owners, registered owners and tenants (as defined in the Expropriations Act) of the said land;
 - (b) advertise Notice of the City's application in a newspaper as required by the Expropriations Act; and
 - (c) sign and receive the said application for approval of this expropriation.
6. That the City Clerk be authorized and directed to:
- (a) give Notice of the City's application for approval to expropriate for roadway and municipal purposes, an irregular rectangularly-shaped parcel of land measuring approximately 26.00 metres (85.30 feet) by 176.854 metres (580.23 feet), known municipally as part of 1477 Upper James Street and described as Parts 6, 7, 8, 9, 10, 11, 12 and 13 on Plan 62R-9741. This Notice shall be given to all owners, registered owners and tenants (as defined in the Expropriations Act) of the said land;
 - (b) advertise Notice of the City's application in a newspaper as required by the Expropriations Act; and
 - (c) sign and receive the said application for approval of this expropriation.
7. That the National Transportation Agency be advised that:
- (a) Minutes of Settlement (the Minutes) were entered into between the Corporation of the City of Hamilton (the City) and the Toronto, Hamilton and Buffalo Railway Company (T.H. & B.) and Canadian Pacific Limited (C.P.) on May 1st, 1986 for the purpose of resolving an action commenced by the City against T.H. & B. and C.P. in 1981;
 - (b) Paragraph 4 of the Minutes required the City to pass a by-law rescinding By-law No. 755 and waiving any and all breaches of By-law No. 755 by T.H. & B.;
 - (c) Pursuant to paragraph 4 of the Minutes, the City, on June 25th, 1986, passed By-law 86-194, which rescinded By-law No. 755 and waived any and all breaches of the conditions of By-law No. 755 by T.H. & B.;

- (d) Notwithstanding paragraph 4 of the Minutes, paragraph 6 of the same Minutes requires, among other things, that,
 - i. the T.H. & B. and C.P. integrate the freight rail service and facilities then being operated by T.H. & B. into the C.P. rail system and to maintain those freight rail facilities at least as effectively and efficiently after integration,
 - ii. C.P. continue to operate the freight rail service to and within the City of Hamilton and serve the industries and businesses established there as effectively and efficiently and with as modern equipment, facilities and freight rail service as it services the industries or businesses of any other city or region of Canada;
 - (e) The effect of paragraph 6 of the Minutes is to preserve the responsibility of C.P. for the construction, repair or maintenance of the Poulette Street Bridge;
 - (f) The Poulette Street Bridge is a freight rail facility within the meaning of paragraph 6 of the Minutes and, thus, C.P. is obligated to maintain it at least as effectively and efficiently as before;
 - (g) C.P. is obligated to ensure that rail facilities like the Poulette Street Bridge meet modern standards and satisfy present needs.
 - (h) The cost of any work associated with the obligation of T.H. & B. and C.P. under paragraph 6 of the Minutes be borne completely by them;
 - (i) Accordingly, C.P. be ordered to reconstruct and maintain, at its own expense, the Poulette Street Bridge.
8. That the local Approvals Branch of the Ontario Ministry of the Environment be informed that:
- (a) The City of Hamilton has no objection to Rondar Inc. carrying out decontamination of low level PCB transfer oil for Hamilton Hydro at its 450 Nebo Road location provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional by-laws are complied with fully.
 - (b) No Specific City of Hamilton or Regional permits are required for the work proposed by Rondar Inc.
 - (c) The 30 day notification period that is normally required after a Certificate of Approval is issued be waived so that the proposed work can be carried out as scheduled.

9. That the application of Ground Tech, Agent, on behalf of the present owner of 121 King Street East to regain the encroachment consisting of concrete steps measuring 3'0" x 3'6" be approved during the pleasure of Council provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
 - (b) That a first year fee of \$105 and subsequent annual fee of \$20 be set for this privilege.
 - (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
10. (a) That, in combination with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation be implemented on both sides of Emerald Street South between Main Street East and King Street East; and
- (b) That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first eight applicants residing in the apartment building at No. 11 Emerald Street South.
 - (c) That a "Permit Parking" regulation be implemented on the north side of Peter Street between Locke Street and Pearl Street;
 - (d) That the Director of Traffic Services be authorized to issue one parking permit, upon request, to one resident of each of the one, two and three family dwellings abutting the block, and any additional permits to a maximum of 15 on a first come first served basis; and
 - (e) That the existing "One Hour Parking Time Limit" regulation on the north side of Sanders Boulevard between Dalview Court and Binkley Crescent be shortened such that the regulation commences at Daleview Court and extends to a point 77 feet west of Binkley Crescent; and
 - (f) That City Traffic By-law 66-100 be amended accordingly.
11. (a) That eastbound traffic on both the north and south legs of Boston Crescent be required to stop for northbound and southbound traffic on Birchcliffe Crescent; and
- (b) That the existing supervised school crosswalk across King Street West at Bond Street be relocated to a midblock location approximately 100 feet west of Bond Street at the curve in the roadway directly in front of George R. Allan Public School; and

- (c) That City Traffic By-law 66-100 be amended accordingly.
12. (a) That a permit parking regulation be implemented on south side of Crestwood Drive, commencing at a point 142 feet east of David Avenue and extending to a point 40 feet easterly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to each of the two handicapped residents of 20 Crestwood Drive; and
- (c) That a "Permit Parking" regulation be implemented on the west side of Dundurn Street South, commencing at a point 86 feet north of Glenside Avenue and extending to a point 21 feet northerly therefrom; and
- (d) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Doris Dean, 428 Dundurn Street South; and
- (e) That City Traffic By-law 66-100 be amended accordingly.
13. (a) That the existing Residential Boulevard Parking Agreement between the City and Audrey H. Worthington, registered as instrument number 202782 C.D. to the property at 21 Cambridge Avenue be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to prepare the necessary documents in relation to the discharge of this agreement.
14. (a) That in accordance with the request of the Hamilton Street Railway Company, the following bus stop relocation be approved:
- Limeridge Route - Southbound - Delete - Kingfisher Drive at Curlew Avenue (F/S)
- Add - Kingfisher Drive at Limeridge Road (N/S)
- (b) That City Traffic By-law 66-100 be amended accordingly.
15. (a) That the Hamilton Beach Neighbourhood be designated as a Neighbourhood Watch Area; and
- (b) That Neighbourhood Watch signs for the Hamilton Beach Neighbourhood be erected and maintained by the City Traffic Department, as long as these neighbourhoods maintain an active Neighbourhood Watch Program as determined as the Regional Police Department; and
- (c) That the necessary funds in the amount of \$500 be charged to Account No. 0345-0560 (Neighbourhood Watch Program).

16. (a) That By-law No. 75-155 (Parking of Motor Vehicles on Private Property and Municipal Property) be consolidated; and
- (b) That By-law No. 66-100 To Regulate Traffic be consolidated; and
- (c) That By-law No. 77-221 (The Parks By-law) be consolidated; and
- (d) That By-law N. 75-168 (Fire Routes) be consolidated; and
- (e) That the Traffic Department be directed to prepare the necessary documents for the City of Hamilton to enter into Part II of the Provincial Offences Act.

17. That leave be granted to introduce the following Bills:

- (a) B-33 By-law to Consolidate By-law No. 66-100 to Regulate Traffic
- (b) B-34 By-law to Consolidate Fire Routes By-law No. 75-168.
- (c) B-35 By-law to Consolidate Parks By-law No. 77-221.
- (d) B-36 By-law to Consolidate Parking of Motor Vehicles on Private Property and Municipal Property By-law No. 75-155.
- (e) B-37 Local Improvement Charges for Construction of Roads, Curbs, Sidewalks, and Alleys.
- (f) B-38 By-law to Amend By-law 66-100 to Regulate Traffic.
- (g) B-39 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1989 February 20

/lp

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its SIXTH Report for 1989 and respectfully recommends:

1. For the information of Council, the membership of the Steering Committee established to assist the Consultant in conducting a Feasibility Study for the short, medium and long term needs for arenas, and a skating rink in the downtown area, as presented as information in the Third Report of the Parks and Recreation Committee to Council on January 31st, has been approved by the Parks and Recreation Committee as follows:

Alderman D. Agostino, Chairman
Alderman T. Murray
Alderman J. Gallagher
Ms. J. Rapsavage, Parks & Recreation Advisory Committee
Frank Hickey, Parks & Recreation Advisory Committee
John Penner, Citizen Member
Peter Burrows, Lawfield Ringette Association
Reg Jarvie, Hamilton Minor Hockey Council
Mrs. Lynn Smith, Hamilton/Stoney Creek Figure Skating Club
Mr. Murray Long, Regional Non-Contact Hockey League Oldtimers
Miss Audell Schimmel, Director of Culture & Recreation
Mr. Doug Farquhar, Department of Culture & Recreation
Mr. David Godley, Planning Department
Mr. Wm. Kriesel, Consultant, Ministry of Tourism & Recreation

2. That approval be granted the Hamilton Disarmament Coalition to sell food and non-alcoholic beverages on the occasion of their Peace Rally to be held in Dundurn Park, May 13, 1989, subject to the following terms and conditions:
 - (a) Provide proof of \$1 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury, same to be submitted 30 days in advance, and naming the City as co-insured.
 - (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.)
 - (c) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.

- (d) That the location of various booths and stalls within the park be subject to the approval of the Parks Division staff in order to reduce damage and high maintenance costs.

NOTE: Approval is required pursuant to Parks By-Law No. 77-221.

3. (a) That approval be given to the allocation of funds, in accordance with the policy as approved by City Council on 1986, May 13 and as amended on 1986, October 26, for the purchase and installation of metal playlot equipment for the following projects:

- Eastwood Park (North End East Neighbourhood)	\$ 5 000
to match those funds raised in the community.	

NOTE: The estimated total for the Eastwood Project is \$15 000 for a creative metal climber.

- Robert Land School (Keith Neighbourhood)	\$ 5 000
--	----------

TOTAL	\$10 000
-------	----------

- (b) That the Co-ordinating Committee be requested to recommend the method of financing for these projects.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE
INSTALLATION OF METAL PLAYLOT EQUIPMENT IN THE
GROSS AMOUNT OF \$10 000 BE FINANCED FROM THE
RESERVE FOR ACQUISITION OF PROPERTIES UNDER
THE PLANNING ACT, ACCOUNT NO. RF 56006 25301.

4. (a) That the lease between the City of Hamilton and Lynda Mary Ashbee be terminated and that approval be given to lease approximately 7,800 square feet of vacant land at the rear of 124 Kimberley Drive to Lisa Dobson, effective April 1, 1989 at a rental of \$1 per year, plus realty taxes estimated at \$200 for 1989.
- (b) That an agreement prepared by the City Solicitor be executed by the Mayor and City Clerk.
5. (a) That Gurnett Investments Limited be paid the sum of \$11 700 as full market value compensation for the remaining parkland credit balance of 527.10 square metres (0.13 acres), and

- (b) That payment to Gurnett Investments Limited for lands in excess of the statutory 5% Parkland dedication requirements be charged to the "Reserve for Acquisition of Land under the Planning Act" - Account No. RF 53006 25301.

NOTE: As this company does not anticipate any further land development in the City of Hamilton in the near future, it is requesting that the outstanding credit balance of 527.10 square metres (0.13 acres) be purchased for its fair market value of \$11 700.

6. That a purchase order be issued to Blue Mountain Resorts Limited, Collingwood, in the amount of \$78 000 plus Provincial sales tax, for the supply and delivery of a replacement Bombardier BR400 Snow Groomer for King's Forest Ski Lift.

NOTE: Only available supplier. Funds provided in Uninsured Losses Account No. RF55006-25217.

As this machine is required immediately to maintain the ski hills, the above has been processed through the emergency procedures of the City of Hamilton Purchasing, that states "An order can be placed upon the approval two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

7. (a) That the City exercise its option to extend the existing agreement for food concessions at Globe Park, with Ruth Stefan for an additional term, originally approved as Item 8 of the 16th Report for 1986 Parks and Recreation Committee and approved by Council June 24, 1986.
- (b) That Ruth Stefan also be granted permission to sell food and beverages at Mountain Brow Park in conjunction with the Victoria Day Celebrations, on the understanding that she will provide to the City 15% of the gross sales and the insurance satisfactory to the City Solicitor.
8. (a) That the minutes of the Ad Hoc Panel established by the Parks and Recreation Committee to study the Hamilton Museum of Steam and Technology be distributed to all members of the Hamilton Historical Board.
- (b) That all draft reports and the final report of any consultants appointed by the Ad Hoc Panel to investigate and report on the Hamilton Museum of Steam and Technology be distributed to all members of the Hamilton Historical Board.

- (c) That a copy of the Ad Hoc Panel's recommendations concerning the Hamilton Museum of Steam and Technology be forwarded to the Hamilton Historical Board prior to their presentation to the Parks and Recreation Committee in order that Board members may comment upon them.
- (d) That the minutes of the Hamilton Historical board since 1 January 1988 and all reports and correspondence submitted to the Board in reference to the Hamilton Museum of Steam and Technology be compiled into an information package and distributed to each member of the Ad Hoc Panel, the Parks and Recreation Committee, the Volunteer Pump Group, and any consultant appointed by that Committee.
- (e) That the Chairman of the Hamilton Historical Board be appointed to the Ad Hoc Panel investigating the operation and future of the Hamilton Museum of Steam and Technology.
- (f) That a presentation outlining the involvement and actions of the Hamilton Historical Board since 1 January 1988 in respect to the Hamilton Museum of Steam and Technology be made to the Parks and Recreation Committee by representatives of the Hamilton Historical Board.
- (g) That the Parks and Recreation Committee reconsider the 1989 May 22nd re-operating target date for the Steam Museum, in view of the numerous safety issues needing to be addressed, and aim for another historic re-operating target date.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,
Secretary

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

1989 February 21

/lp

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTH** Report for 1989 and respectfully recommends:

1. (a) That City Council **REFER** each of the recommendations contained in the Report of the Task Force to Review the Mandate and Structure of the Hamilton Harbour Commissioners to the appropriate Standing Committees for review and recommendations back to City Council for approval; and,
- (b) That the recommendations requiring only City Council approval **BE REFERRED** to the Planning and Development Committee for discussions on an individual basis and recommendations back to City Council; and,
- (c) That the Chief Administrative Officer **BE DIRECTED** to ensure that the recommendations contained in the Task Force Report are presented to the appropriate Standing Committees.

NOTE: Copies of the Report of the Task Force to Review the Mandate and Structure of the Hamilton Harbour Commissioners have been distributed to all members of City Council and Department Heads. Additional copies are available from the Committee Secretary.

2. That the Building Commissioner **BE AUTHORIZED** to issue demolition permits for the following properties:-
 - (a) 101 Arbour Road
 - (b) 489 Cochrane Road
 - (c) 498 Cochrane Road
3. (a) That, the request of the merchants in the proposed area for designation (hereinafter referred to as the Locke Place B.I.A.), to adopt a by-law designating a Business Improvement Area (B.I.A.) from 80 Locke Street South to 260 Locke Street South inclusive, and 281 Herkimer Street, as indicated on Schedule 'A' attached herewith and marked **APPENDIX "A"**, **BE APPROVED**; and,
- (b) That, the City Solicitor **BE HEREBY AUTHORIZED** and directed to prepare, and submit to City Council a by-law, pursuant to Sub-section (1), Section 217, The Municipal Act, R.S.O. 1980, designating Locke Street Association as a B.I.A. following the appropriate circularization procedures.

4. (a) That, the request of the Main Street West Business Association to adopt a by-law designating a Business Improvement Area on Main Street West, generally from Locke to Queen Streets as indicated on Schedule 'A' attached herewith and marked **APPENDIX "B"**, **BE APPROVED**; and.
- (b) That, the City Solicitor **BE HEREBY AUTHORIZED** and directed to prepare, and submit to City Council a by-law pursuant to Sub-section (1), Section 217, The Municipal Act, R.S.O. 1980, following the appropriate circularization procedures.

5. That a repayable loan, under the Commercial Facade Loan Programme, in the amount of fifteen thousand dollars (\$15,000.) **BE APPROVED** for Daniel R. Logan and Lauchlin D. Cameron, 489 Concession Street. The interest rate to be 6 percent, amortized over 10 years.

6. That the City of Hamilton **ACCEPT** the sum of \$9,990. as cash payment in lieu of 5% dedication in connection with "Templemead No. 2 Survey - Phase 6", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located west of Upper Ottawa Street and north of Rymal Road in the Templemead Neighbourhood.

7. That the Corporation of the City of Hamilton **ACCEPT** the sum of \$6,560. as cash payment in lieu of 5% dedication in connection with "Clerico Court", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located west of Mount Albion Road on the south side of Hixon Road in the Red Hill Neighbourhood, Hamilton.

8. (a) That the City Modified Subdivision Agreement for 203 Rymal Road West **BE AMENDED** to allow the acceptance of a 5% land dedication as the 5% Parkland Dedication requirement in lieu of the 5% cash payment originally paid.

- (b) That the City Treasurer **BE AUTHORIZED** and directed to reimburse the owner, Shedaco Holdings Limited, in the amount of \$10,500., as the amount originally paid in cash for the 5% Parkland Dedication requirement.

NOTE: The City is being asked to refund the owner \$10,500., being an interim payment, subject to future land dedication for park purposes. Staff believes that the proposed land dedication is of more benefit to the City.

In July of 1988, staff agreed to accept the sum of \$10,500. as the 5% Parkland Dedication requirement for the subject development with the intention of refunding this once final approval had been obtained for another development within the same neighbourhood owned by the same owner, and known as Abbey Hill Farm - Phase 1.

The cash amount was accepted on a temporary basis in order not to hold up the subject development.

Under the City Subdivision Agreement for Abbey Hill Farm - Phase 1, the owner dedicated a Block of land, Block 46, totalling 8,895.50m² for Parkland purposes. The 5% requirement for that development was 3,248.88m².

The 5% requirement for the subject development is 140.50m². After deducting this from the remaining balance, the new Parkland Credit Balance will be 5,506.15m² which may be used by this owner in the same neighbourhood for future developments.

These lands are located west of Upper James Street and south of Rymal Road in the Kennedy East Neighbourhood.

9. That Section 8 of the Twenty Second Report for 1988 of the Planning and Development Committee respecting a zoning application for property at 373 Brunswick, **BE AMENDED**, by deleting Subsection (b) which reads as follows:

"That the By-law not be forwarded to City Council for passage until the applicant has received final approval of a land severance through Regional Land Division Committee."

NOTE: On 1988 November 3, City Council approved a modification to "C" District zoning to permit the severance of the subject lands for two single family dwellings.

The applicant has received approval from the Land Division Committee for the severance but the conditions of the severance cannot be executed until the lands have been rezoned. Accordingly, the condition, as set out in Subsection (b), has been fulfilled to the satisfaction of the Planning and Development Department

10. That **APPROVAL** be given to Zoning Application 87-92, S. Wise Construction Limited, owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Residential - One and Two Family) District, for property at 318 Lockheed Drive and 742 Upper Kenilworth Avenue, as shown on the attached map marked as **APPENDIX "C"**, on the following basis:

- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District, to "D" (Residential - One and Two Family) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E59A for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Residential - One and Two Family) District, for property located at 318 Lockheed Drive and 742 Upper Kenilworth Avenue.

The effect of the By-law is to permit development of the subject lands in conjunction with lands located northerly for a semi-detached dwelling.

11. That **APPROVAL** be given to amended Zoning Application 88-96, Joseph Venditti, prospective owner, requesting a change in zoning from "L-c" (Planned Development - Commercial) District to "HH" (Restricted Community Shopping and Commercial) District to permit the construction of a two storey commercial office building having a total gross floor area of approximately 1,755m² (18,900 sq.ft.), for property located at 987 Rymal Road East, as shown on the attached map marked as **APPENDIX "D"**, on the following basis:

- (a) That the subject lands be rezoned from the "L-c" (Planned Development - Commercial) District to the "HH" (Restricted Community Shopping and Commercial) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-49D and E-49E for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from the "L-c" (Planned Development - Commercial) District to the "HH" (Restricted Community Shopping and Commercial) District, for lands located at 987 Rymal Road East.

The effect of the By-law is to permit the demolition of the existing dwelling, and the construction of a 2 storey general office building having a total gross floor area of approximately 1.755m^2 (18,900 sq.ft.)

12. That **APPROVAL** be given to amended Zoning Application 88-97, Love Produce Distributors Ltd., owner, requesting a change in zoning from "G-3" (Public Parking Lots) District modified to "RT-30" (Street Townhouse) District modified to permit the development of a street townhouse dwelling having 5 single-family dwelling units on lands located at 204-214 Hess Street North, as shown on the attached map marked as **APPENDIX "E"**, on the following basis:

- (a) That the subject lands be rezoned from "G-3" (Public Parking Lots) District modified to "RT-30" (Street-Townhouse) District;
- (b) That the "RT-30" (Street-Townhouse) District regulations as contained in Section 10F of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 10F(4)(a) a front yard depth of not less than 4.2m shall be provided from Hess Street North, provided that the entrance to any garage shall be setback not less than 6.0m from Hess Street North, and a front yard depth of not less than 1.2m shall be provided from Windsor Street;
 - (ii) That notwithstanding Section 10F(4)(b) a rear yard depth of not less than 4.0m shall be provided;
 - (iii) That notwithstanding Section 10F(4)(c) a side yard width of no less than 1.2m shall be provided along the northerly lot line;
 - (iv) That notwithstanding Section 10F(6)(i) a lot area of not less than 100m^2 shall be provided for each single-family dwelling unit;
 - (v) That a visual barrier not less than 1.2m in height and not greater than 2.0m in height be provided and maintained along the rear lot line and northerly side lot line;

- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1115, and that the subject lands on Zoning District Map W-3 be notated S-1115;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-3 for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (f) That the approved Central Neighbourhood Plan be amended by redesignating the subject lands from "Commercial" to "Attached Housing".

NOTE: The purpose of the By-law is to provide for a change in zoning from "G-3" (Public Parking Lots) District modified to "RT-30" (Street-Townhouse) District for lands located at 204-214 Hess Street North.

The effect of the By-law is to permit the redevelopment of the subject lands for a street-townhouse dwelling having a maximum of five (5) single-family dwelling units. In addition, the By-law provides for several modifications as special requirements.

- 13. (a) That **APPROVAL** be given to Official Plan Amendment No. 71 to establish a "Special Policy Area" to permit limited commercial uses on the subject lands, and the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That **APPROVAL** be given to amended Zoning Application 88-117, Carlo Del-Sordo, owner, for a modification to the "M-13" (Prestige Industrial) District to permit additional commercial uses on the property located at No. 1249 Stone Church Road East, as shown on the attached map marked as **APPENDIX "F"**, on the following basis:
 - (i) That the "M-13" (Prestige Industrial) District regulations as contained in Section 17E of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variances as a special requirement:
 - (1) That in addition to the uses permitted in Section 17E(1) of By-law No. 6593, the following commercial uses shall also be permitted:

	<u>Use</u>	<u>S.I.C.</u> <u>Identification</u>
(A)	Office and Store Machinery, Equipment and Supplies, Wholesale	3791
(B)	Liquor Stores	6021
(C)	Wine Stores	6022
(D)	Beer Stores	6023
(E)	Appliance, Television, Radio and Stereo Stores	6221
(F)	Home and Auto Supply Stores	6341
(G)	General Stores	6412
(H)	Hardware Stores	6531
(I)	Other Banking-Type Intermediaries	7029
(J)	Insurance and Real Estate Agencies	7611
(K)	Office of Chartered and Certified Accountants	7731
(L)	Restaurants, Licenced	9211
(M)	Taverns, Bars and Night Clubs	9221
(N)	Self-Serve Laundries and/or Dry Cleaners	9723
(O)	Combination Barber and Beauty Shops	9713
(P)	Offices of Chiropractors and Osteopaths	8661
(2)	That notwithstanding Section 17E(2)(b)1(ii) a side yard having a width of not less than 3.0 metres shall be provided and maintained along the westerly lot line.	
(ii)	That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1116, and that the subject lands on Zoning District Map E-59C be notated as S-1116.	
(iii)	That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59C for submission to City Council.	

- (iv) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 71 by the Regional Municipality of Hamilton-Wentworth.

NOTE: The purpose of this By-law is to provide for a modification to the "M-13" (Prestige Industrial) District regulations for property located at 1249 Stone Church Road East.

The effect of the By-law is to permit, in addition to the "M-13" (Prestige Industrial) District uses, several additional commercial uses.

14. That APPROVAL be given to Zoning Application 88-120, Cadillac Fairview Corporation Limited, owner, requesting a further modification to the established "G-1" (Designed Shopping Centre) District, to permit dancing in conjunction with a restaurant for property located at 75 Centennial Parkway North, as shown on the attached map marked as APPENDIX "G", on the following basis:

- (a) That the "G-1" (Designed Shopping Centre) District, regulations as contained in Section 13A of Zoning By-law No. 6593 as amended by By-law No. 71-97, applicable to the subject lands, be further modified to include the following variance as a special requirement:
- (i) Notwithstanding Section 13A.(1)(iii) and Section 13.(1)(vii) a restaurant or refreshment room with dancing or other entertainment shall be permitted;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-199a, and that the subject lands on Zoning District Maps E-104 and E-105 be notated as S-199a;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-104 and E-105 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a further modification to the established "G-1" (Designed Shopping Centre) District regulations for lands located at 75 Centennial Parkway North.

The effect of the By-law is to permit dancing in conjunction with a restaurant (Moviola Cafe) located within 75 Centennial Parkway North (Eastgate Square).

15. That the account of Weir & Foulds, Barristers and Solicitors, dated 1989 January 31, in the amount of \$45,019.77 **BE APPROVED**.

NOTE: This account covers their litigation services for the City for the month of 1989 January.

16. That the following application fees **BE INCREASED** for the processing of City Applications administered by the Planning and Development Department:
- (a) That the existing \$250. fee for zoning applications be increased to \$500. for 1989 and \$750. for 1990.
 - (b) That the existing \$250. fee for an Official Plan Amendment be increased to \$500. for 1989 and \$750. for 1990.
 - (c) That the existing \$125. fee for net site plan applications be increased to \$250. for 1989 and \$350. for 1990.
 - (d) That the existing \$65. fee for an amendment to an approved site plan be increased to \$100. for 1989 and \$150. for 1990.
 - (e) That the applicant be required to pay all costs associated with the referral of a zoning by-law and/or an Official Plan Amendment to the Ontario Municipal Board.
 - (f) That the applicant be required to pay all costs for outside professional witnesses and legal services where the City of Hamilton finds it necessary to hire such persons in support of an application before the Ontario Municipal Board Hearing.
 - (g) That the City Solicitor be directed to prepare a by-law to adopt the above fees, effective March 01, 1989 and 1990.

17. That leave be granted to introduce the following Bills:

- (a) **Bill D-23** A By-law to amend Zoning By-law No. 6593 respecting land located at part of Municipal No. 101 Dartnall Road.
- (b) **Bill D-24** A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 81-344 respecting land located to the north of Municipal No. 395 Centennial Parkway North.
- (c) **Bill D-25** A By-law to amend Zoning By-law No. 6593 respecting lands located at the rear of Municipal Nos. 1500, 1514 and 1522 Upper Ottawa Street.
- (d) **Bill D-26** A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 60 Dalhousie Avenue.

- (e) Bill D-27 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 130, 132, 134 and 136 Young Street.
- (f) Bill D-28 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 87-306 respecting Adult Entertainment Parlours located at Municipal Nos. 92 Barton Street East, 1038 Barton Street East, 229 Kenilworth Avenue North, 150 Centennial Parkway North, 1545 Upper James Street, 95 King Street East and 54 King Street East.
- (g) Bill D-29 A By-law to adopt Official Plan Amendment No. 70 respecting the southern portion of those lands known Municipally as Nos. 282, 284, and 288 Grays Road, within the Riverdale East Neighbourhood.
- (h) Bill D-30 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal Nos. 282, 284, and 288 Grays Road.
- (i) Bill D-31 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 71-97 respecting land located at Municipal No. 75 Centennial Parkway North.
- (j) Bill D-32 A By-law to authorize a Tariff of Fees.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN
PLANNING & DEVELOPMENT COMMITTEE

Susan K. Reeder
Secretary
1989 February 15
1989 February 16
1989 February 22

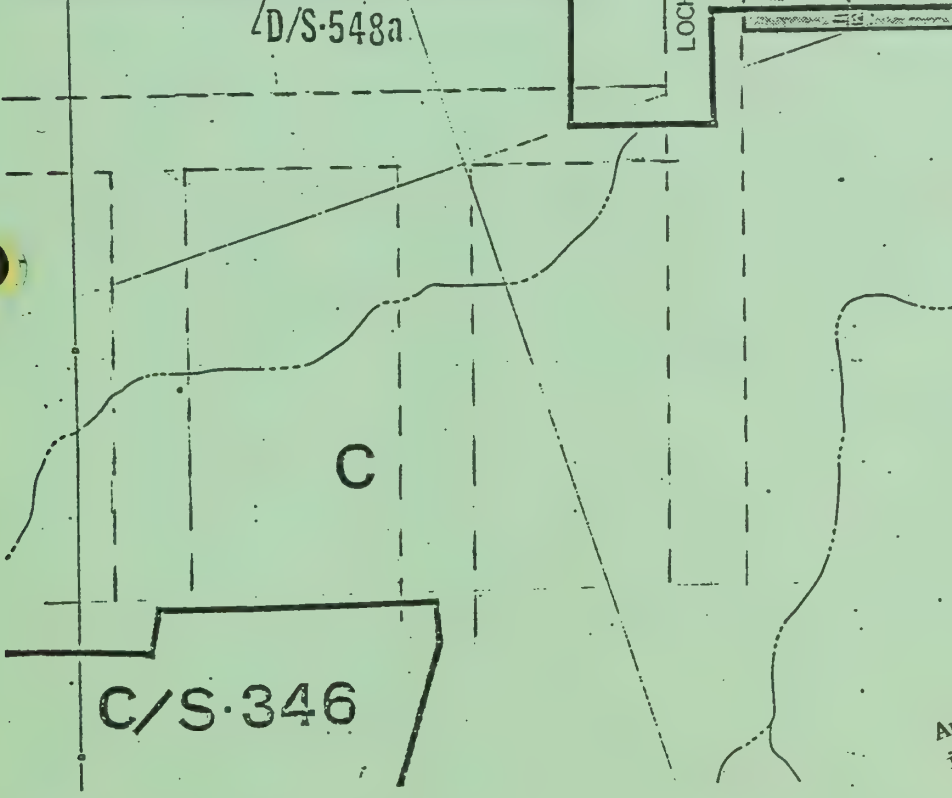


Appendix "B" as referred to
in Section 4 of the SIXTH
Report for 1989 of the
Planning & Development
Committee.

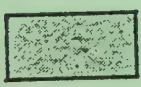
Appendix "B" as referred to
in Section 4 of the SIXTH
Report for 1989 of the
Planning & Development
Committee.



UPPER KENILWORTH AVENUE



LEGEND

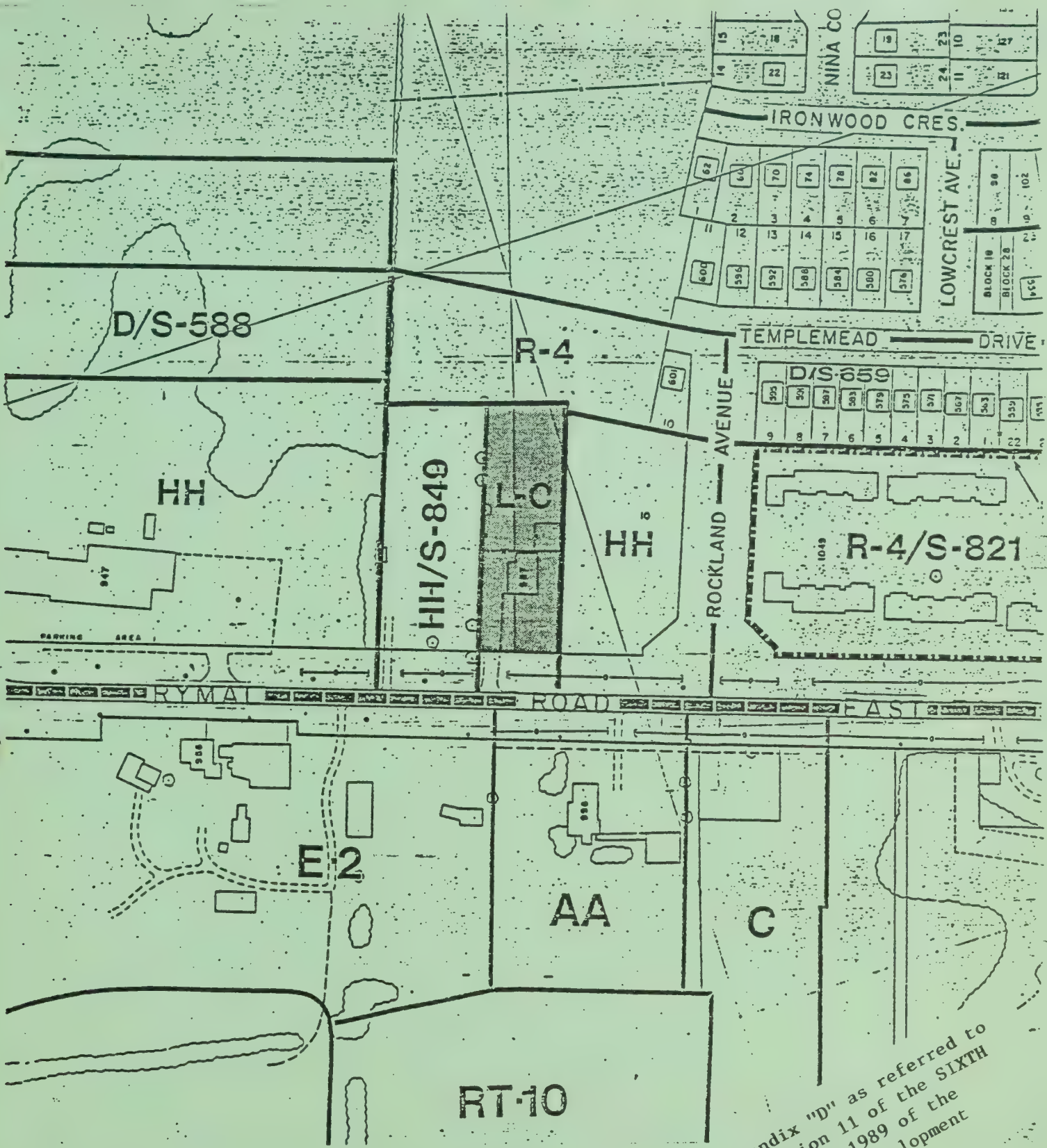


SITE OF THE APPLICATION

Appendix "C" as referred to
in Section 10 of the SIXTH
Report for 1989 of the
Planning & Development
Committee.



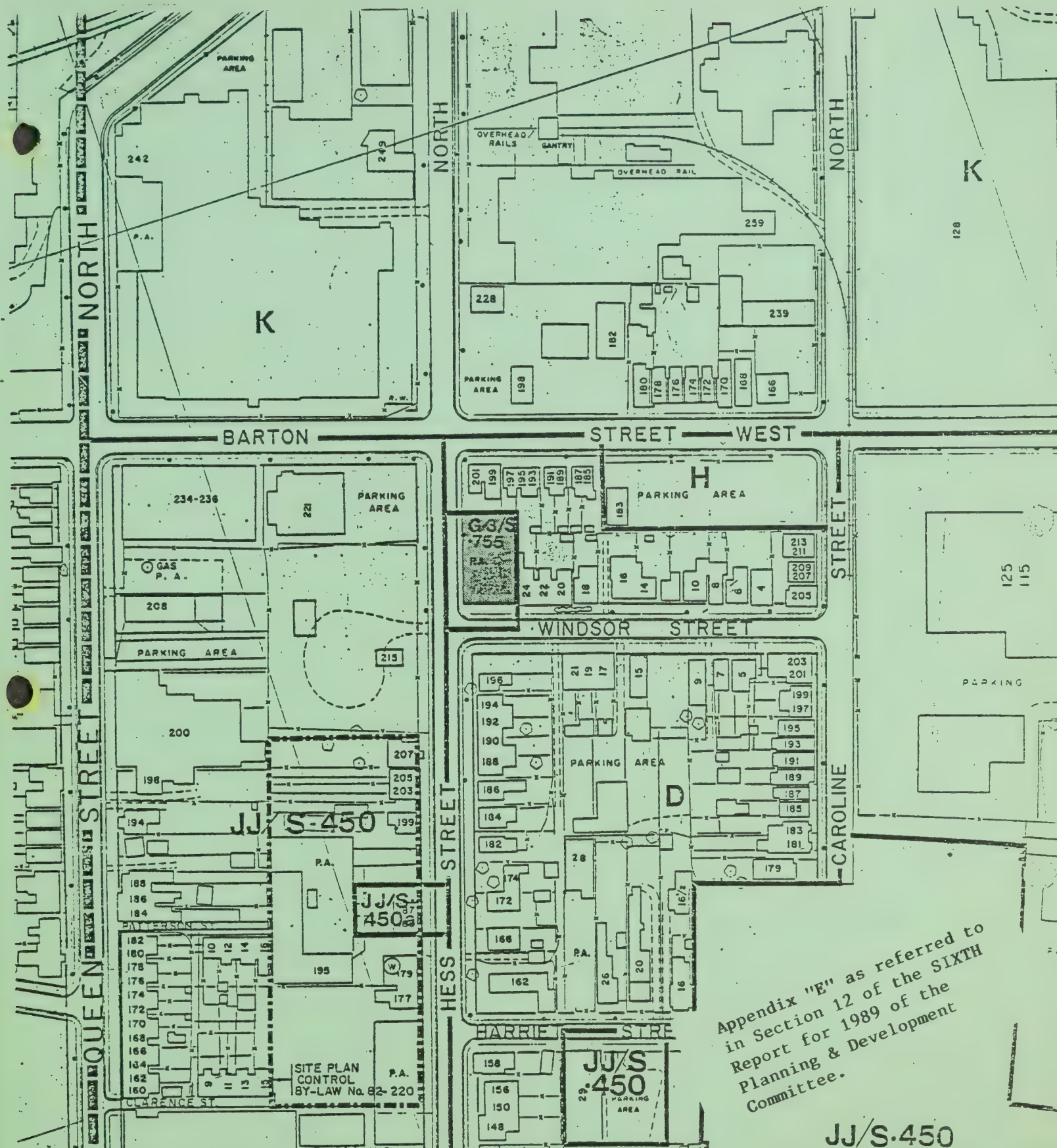
ZA 87-92



Appendix "D" as referred to
in Section 11 of the SIXTH
Report for 1989 of the
Planning & Development
Committee.



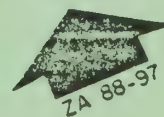
APPENDIX A - M



Legend



Site of the Application



REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Legislation Committee presents its **FOURTH** Report for 1989 and respectfully recommends:

1. (a) That the City Clerk be authorized and directed to remit payment to the Association of Municipalities of Ontario in the amount of \$10 630.72 for the City of Hamilton's 1989 membership fee.

 (b) That this cost be financed from Account No. CH56006-10001, City of Hamilton Memberships.
2. That the following recommendations which were referred to the Legislation Committee by the Planning and Development Committee for consideration and action, **not be approved**.

 (a) That City Council petition the Provincial Government to enact legislation to require the location and use of garbage chutes to be on all floors of apartment buildings.

 (b) That the above petitioning also be forwarded to the Ontario Building Code Committee.

 Note: The above matter dealing with the location and use of garbage chutes was **lost** on a tie vote of the Legislation Committee and in accordance with established policy is now being submitted to City Council for its consideration and disposition.
3. That permission be granted to the Serbian Eastern Orthodox Church "St. Nicholas" to hold a short commemorative observance ceremony in the City Hall forecourt on Saturday, 1989 July 01 to commemorate the 600th Anniversary of the Battle of Kosovo, Serbia, Yugoslavia.
4. That permission be granted to the Canadian Polish Congress, Hamilton District to fly their national flag and to use the City Hall Council Chambers for a proclamation ceremony on Saturday, 1989 May 27 at 10:00 o'clock a.m. to 1:00 o'clock p.m.

5. That permission be granted to the Y.W.C.A. to use the City Hall forecourt for their annual Strawberry Festival on Thursday, 1989 June 15 from 11:00 o'clock a.m. to 4:00 o'clock p.m. including the use of the following equipment.
 - (a) City van to transport tables to and from Y.W.C.A.
 - (b) City Hall chairs
 - (c) Sound System
 - (d) Piano
 - (e) Distribution of flyers through the City Hall building
6. That permission be granted to the Monarchist League of Canada, Hamilton and District Branch to fly the Union Jack from Monday, 1989 May 15 to May 22 on the occasion of the proclamation of Royal Week.
7. That the request of the Department of Culture and Recreation to use the City Hall forecourt on Monday, 1989 March 06 from 9:00 a.m. to 9:30 a.m. for a brief ceremony in connection with the Ontario Winter Games Torch Run, be approved.
8. That permission be granted to the request of the Red Cross Society to fly the Red Cross flag for the month of March in support of the Canadian Red Cross Society.
9. That a one-minute cessation of work be observed by all City Hall employees on Friday, 1989 April 28 at 11:00 o'clock a.m. in recognition of all workers who have been killed, injured or disabled on the job.
10.
 - (a) That the recipient of the second annual Gilda Cino Arts Award be presented with the award at the regular meeting of City Council on Tuesday, 1989 April 25.
 - (b) That the City of Hamilton host a reception for approximately 75 people prior to the award presentation at the meeting of City Council in an appropriate location in City Hall.
 - (c) That the cost for invitations, refreshments and the award be provided within the budget guidelines and charged to Account No. CH53110-84010, the Gilda Cino Arts Award.
 - (d) That staff make the necessary arrangements to carry out the nomination process and award presentation.

- (e) That the Terms of Reference for the Gilda Cino Arts Award adopted by City Council September 1987 be amended by deleting Sections 1, 2, 3 and 4 of the Proposed Presentation Guidelines which provides for an annual fund raising dinner and substituting in lieu thereof the following.

"That the annual Gilda Cino Arts Award be presented at a regular meeting of City Council following a reception hosted by the City of Hamilton be held in City Hall."

11. (a) That the City Solicitor be authorized and directed to prepare a draft by-law to provide for the adoption of a Code of Conduct for the members of City Council for consideration by the Legislation Committee and City Council.
- (b) That the draft legislation incorporate all of the features and aspects of the Code of Conduct By-law for the members of Council of the Regional Municipality of Hamilton-Wentworth with the exception of the spousal references in the section dealing with the Financial Disclosure Statement and further that the section dealing with enforcement be tabled at this time pending receipt of a report from the City Solicitor containing recommendations on enforcement.

12. That the following resolution from the Town of Newmarket, be received.

WHEREAS it is in the best interests of the citizens of a municipality that candidates for municipal council are bona fide candidates;

AND WHEREAS the present requirements for candidates for municipal councils set out in the Municipal Act and the Municipal Elections Act do not specifically contain requirements in respect of bona fides;

AND WHEREAS every person duly qualified to be elected to municipal office should not be denied the opportunity to seek municipal office by reason of financial hardship;

AND WHEREAS candidates for election to the Parliament of Canada are required to post deposits as a condition of their nomination;

AND WHEREAS it is considered appropriate that candidates for municipal council should be required to post a deposit as a condition of nomination;

BE IT THEREFORE RESOLVED as follows:

- (a) That the Municipal Council of the Corporation of the Town of Newmarket supports the principle that candidates for municipal council should post a deposit as a condition of nomination for municipal council.

- (b) The amount of such deposit shall not be so large as to prevent a bona fide candidate for municipal council from placing his/her name in nomination.
 - (c) That AMO be requested to consider the appropriateness of imposing a requirement for the posting of a deposit as a condition of nomination for municipal council and to make recommendations in respect of the amount of such deposit and the conditions for its return after a municipal election.
 - (d) That other municipalities be requested to consider supporting and endorsing this resolution.
 - (e) That the Minister of Municipal Affairs is hereby petitioned, by copy of this resolution, to consider amendments to the Municipal Act and The Municipal Elections Act, as appropriate, to implement this resolution.
 - (f) That Premier David Peterson is hereby petitioned, by copy of this resolution, to direct the Minister of Municipal Affairs to place the appropriate amendments to the Municipal Act and to The Municipal Elections Act before the Legislature prior to the next municipal election so as to be in place prior to the next municipal election.
13. For the information of the members of City Council, the resolution recommending a review of the "Young Offenders Act" which was presented to City Council 1989 January 31 and referred to the Legislation Committee for discussion and action **was received** by the Legislation Committee at its meeting held 1989 February 20.
14. For the information of the members of City Council, the Legislation Committee at its meeting held 1989 February 20 approved the following citizen appointments to the Status of Women Sub-Committee for a term to expire with the term of City Council.

Elizabeth Kobayashi

Lynda Morris

Thelma McGillivray

Agnes Samson

Mary McKenzie

Catherine Sindall

Deborah Barfknecht

Mary Sullivan

Barbara Chambers

Janice Tomkins

Denise Papaiz

Suzanne Cornforth

Shirley Molat

Elizabeth Avetissian

15. That approval be given to the action of the Legislation Committee in approving the request of the Estonian Society of Hamilton to fly the Estonian Flag at City Hall from 1989 February 20 to 1989 February 27 to commemorate the 71st Anniversary of the Independence of Estonia.

Respectfully Submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

John Thompson, Secretary
1989 February 20

mjl

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its **SECOND** Report for 1989 and respectfully recommends:

1. That the accounts of Ross & McBride, Barristers & Solicitors for providing litigation services for the City of Hamilton for the following months **BE APPROVED**:
 - (a) Account dated 1988 October 17th to provide services for the month of 1988 September \$11,234.36
 - (b) Account dated 1988 October 31st to provide services for the month of 1988 October \$17,379.97
 - (c) Account dated 1988 November 30th to provide services for the month of 1988 November \$14,991.22
 - (d) Account dated 1988 December 30th to provide services for the month of 1988 December \$19,877.25
2. That a purchase order be issued to Empire Shirt Mfg. Co. Ltd., Louiseville, Quebec, for the supply and delivery of Fire Department Uniform Shirts as and when required during 1989, with an option in favour of the City to extend for two additional one year periods, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

-	White & Blue Short Sleeve Uniform Shirts Senior/Junior Officers, Male & Female	\$12.86 each
-	White & Blue Long Sleeve Dress Shirts Officers', Male & Female	12.79 "
-	White Short Sleeve Officers' Dress Shirts	11.18 "

Provincial Sales tax extra at 8%

NOTE: Lowest of two (2) tenders received. Funds provided in Uniforms, Clothing and Accessories Accounts CH56104-48001 and 48015.

3. That the Agreement between The Hand Association of Sewer, Watermain and Road Contractors and The Labourer's International Union of North America, Local 837, Hamilton for the period of 1989 January 1 to 1990 December 31, as outlined in the Schedule attached herewith and marked APPENDIX "A", BE APPROVED.
4. That the Appointments to and Terminations from Permanent positions with the Corporation of the City of Hamilton to 1989 February 8, as referenced in the Schedule attached herewith and marked APPENDIX "B", BE APPROVED.

Respectfully submitted,

ALDERMAN B. HINKLEY, CHAIRMAN
PERSONNEL COMMITTEE

Susan K. Reeder
Secretary
1989 February 22

The Hand Association of Sewer, Watermain & Road Contractors and the Labourer's
International Union of North America, Local 837, Hamilton

Duration of Agreement - January 1, 1989 to December 31, 1990

Schedule "A"

The rates of wages and classifications for employees engaged in sewer and watermain, road building, paving and parking lot construction and all work incidental thereto, covered by this Agreement during the regular day shift shall be the following:

<u>Classification</u>	<u>Jan. 1/89</u>	<u>Jan. 1/90</u>
Labourers, including Wire Mesh and Pump Man 3" disc. & under	\$16.38	\$17.43
Skilled Labourers including but limited to Concrete Screedmen, Puddlers and Floatmen Etc.	\$16.53	\$17.58
Concrete Mixer Under 1 Cubic Yard	\$16.53	\$17.58
Dinky Motor Man, Scrootcrete Driver Rammax, Tramper O.P. remote controlled or otherwise	\$16.53	\$17.58
Crawler Type Drillman, Powderman	\$18.73	\$19.78
Rodman Reinforcing Installers	\$16.88	\$17.93
Asphalt Rakers	\$17.38	\$18.43
Catch Basin Constructors	\$17.13	\$18.18
Pipelayers (All Types & Materials)	\$17.38	\$18.43
Form Setters & Cement Finisher and Grademan	\$17.38	\$18.43
Man Hole Valve Chamber Constructors	\$17.43	\$18.53
Curb Setters, Gutter, Brick Setters, Interlock and Stone Paving	\$16.88	\$17.93
Working Foreman	\$18.13	\$19.18
Watchman Six Shifts Per Week, Ten (10) hours per shift	\$500.00 per week	\$530.00 per week
Flagmen	\$13.73	\$14.78

The Hand Association of Sewer, Watermain & Road Contractors and the Labourer's
International Union of North America, Local 837, Hamilton

Welfare Fund:

\$1.55 (One Dollar and Fifty-Five Cents) per hour for each hour worked by each employee covered by this Agreement effective January 9, 1989.

\$1.60 (One Dollar and Sixty Cents) per hour for each hour worked by each employee covered by this Agreement effective January 1, 1990.

Training & Building Fund:

\$0.55 (Fifty-Five Cents) per hour for each hour worked by each employee covered by this Agreement.

Pension Fund:

\$1.00 (One Dollar) per hour for each hour worked by each employee covered by this Agreement.

SCHEDULE "A1"

This Schedule shall be effective in Area 5 as described by Ontario Labour Relations Board, LESS the Townships of North and South Grimsby in the County of Lincoln and Nanticoke Industrial Park including Stelco and Texaco Properties in the county of Haldimand. The rates of Wages and Classifications for employees engaged in sewer and watermain road building, paving and parking lot construction regular day shift shall be the following:

<u>CLASSIFICATION</u>	<u>Jan. 1/89</u>	<u>Jan. 1/90</u>
Labourers, including Wire Mesh and Pump Man 3" disc and under	\$14.68	\$15.73
Skill Labourers, including but not limited to concrete Screedmen, Puddlers, and Floatmen etc.	\$14.83	\$15.88
Concrete Mixer under 1 Cubic Yard	\$14.83	\$15.88
Dinky Motor Man, Scootcrete Driver	\$14.83	\$15.88
Rammax, Trumper O.P. Remote Controlled or otherwise	\$14.83	\$17.23
Crawler Type Drillman, Powderman	\$16.18	\$17.23
Rodman Reinforcing Installers	\$15.18	\$16.73
Asphalt Rakers	\$15.68	\$16.48
Catch Basin Constructors	\$15.43	\$16.73
Pipelayers (All types & materials)	\$15.68	\$16.73
Form Setters, Cement Finishers, and Graderman	\$15.68	\$16.73
Man Hole Valve Chamber Constructors	\$15.78	\$16.83
Gutter Brick Setters, Curb Setter	\$15.18	\$16.23
Working Foreman	\$16.43	\$17.48
Watchman Six Shifts per week, Ten (10) hours per shift	\$410.00 per week	\$450.00 per week
Flagmen	\$12.23	\$13.38

SCHEDULE "B"

The Schedule shall be effective in board Area 26 and 5 as described by Ontario Labour Relation Board, including the Nanticoke Industrial Park including Stelco and Texaco Properties in the County of Haldimand. The rates of wages and classification for employees engaged in Bridge Building, including pedestrian bridges, underpasses and overpasses. Retaining walls and abutments associated with bridges, underpasses and overpasses. All structures in connection with dams, docks, wharves and break-waters. Precast rip-rap installations and all slopes retaining work directly associated with bridge construction. Structural work on reservoirs. Pile driving caisson and underpinning. Structures on transit systems (Heavy rail or light rail) and on expressways. Structures involved in river channelization and flood control projects, except structural work traditionally carried out by the roads or sewers industry. Box culverts. Field precast manufacturing operations. Erection, installation and finishing of precast concrete products directly associated with heavy Engineering construction, covered by this Agreement during the regular day shift work hours, shall be the following:

<u>CLASSIFICATION</u>	<u>Jan. 1/89</u>	<u>Jan. 1/90</u>
Labourers, including Carpenters Helpers, Form Strippers (All Types) including the complete stripping of materials to be reused (wood or otherwise)	\$17.03	\$18.08
Scaffold Erectors (All Types) and Dismantlers	\$17.03	\$18.08
Fence Erectors (Chain Link, Guard Rail Etc.)	\$17.03	\$18.08
Pumpman 3" disc. and under	\$17.03	\$18.08
Rammax - Trumper O.P. Remote controlled or otherwise	\$17.18	\$18.23
Skilled Labourers, including but not limited to Concrete Smoothers, Patchers, Puddlers and Floatmen	\$17.18	\$18.23
Operators of all machine driven tools by gas, electricity and air in open cut work	\$17.18	\$18.23
Powderman, Crawler Type Driller	\$19.03	\$20.08
Crane Signalman	\$17.18	\$18.23
Sheeting & Shoring and Timber-man	\$17.18	\$18.23
Form Setters	\$18.03	\$19.08
Rodman	\$17.78	\$18.83

SCHEDULE "B" CONTINUED

<u>CLASSIFICATION</u>	<u>Jan. 1/89</u>	<u>Jan. 1/90</u>
Concrete Finishers & Graderman	\$17.83	\$18.88
Piling Driving (All Types and all Operations Related thereto)	\$17.28	\$18.33
Working Foremen	\$18.78	\$19.83
Watchmen Six Shifts per week, Ten (10) hours per shift	\$500.00 per week	\$530.00 per week
Flagmen	\$13.23	\$14.28

Welfare Fund:

\$1.55 (One Dollar and Fifty-Five Cents) per hour for each hour worked by each employee covered by this Agreement effective January 9, 1989.

\$1.60 (One Dollar and Sixty Cents) per hour for each hour worked by each employee covered by this Agreement effective January 1, 1990.

Training & Building Fund:

\$0.55 (Fifty-Five Cents) per hour for each hour worked by each employee covered by this Agreement.

Pension Fund:

\$1.00 (One Dollar) per hour for each hour worked by each employee covered by this Agreement.

SCHEDULE "C"

The rates of wages and classifications for employees engaged in mining and tunnelling operations, covered by this Agreement during the regular day shift work hours, shall be the following:

<u>CLASSIFICATIONS</u>	<u>Jan. 1/89</u>	<u>Jan. 1/90</u>
Labourers	\$17.38	\$18.43
Underground Labourers	\$17.68	\$18.73
Reinforced Concrete Workers	\$17.68	\$18.73
Smoothers, Puddlers, Screedman, Floatmen, Form Setters, Pipelayers, (All Types & Materials)	\$17.68	\$18.73
Concrete Leader	\$17.93	\$18.98
Concrete Mixer Man (1 Cubic Yard & Under)	\$17.68	\$18.73
Pumpman (3" Disc. & Under)	\$17.38	\$18.43
Scootcrete, Farmtractor & Locomotive Drivers	\$17.68	\$18.73
Pit Bottom Man, Deck Man & Signal Man	\$17.38	\$18.43
Pile Driving all types & All operations related thereto	\$18.03	\$19.08
Miners, Drillers, Mucking Machine and Slusher	\$18.18	\$19.23
Muckers and Miners Helpers Conveyor Belt Attendant	\$17.68	\$18.73
Shield Drivers and Mole Drivers	\$18.43	\$19.48
Lead Miner	\$18.43	\$19.48
Powderman	\$18.48	\$19.53
Fence Erectors	\$18.38	\$19.43
Grout Machine Man and Welder	\$18.18	\$19.23
Diamond Driller, Drill Docker and Steel Sharpener	\$18.18	\$19.23

SCHEDULE "C" CONTINUED

<u>CLASSIFICATIONS</u>	<u>Jan. 1/89</u>	<u>Jan. 1/90</u>
Scooptran Driver, Cage Tender and Trackman	\$17.68	\$18.73
Pressweld and concrete Pumpman	\$17.68	\$18.73
Working Foreman	\$17.98	\$19.03
Watchman and Dryman	\$16.58	\$17.63

PREMIUM RATES AND COMPRESSED AIR

The following sliding scale of premium rates apply to workers in compressed air. These rates are non-cumulative.

<u>AIR PRESSURE</u>	<u>PREMIUM PER SHIFT</u>
1 lb. to 14 lbs.	\$10.90
15 lbs. to 20 lbs.	\$12.70

Welfare Fund: \$1.55 (One Dollar and Fifty-Five Cents) per hour for each hour worked by each employee covered by this Agreement effective January 9, 1989.

\$1.60 (One Dollar and Sixty Cents) per hour for each hour worked by each employee covered by this Agreement effective January 1, 1990.

Training & Building Fund: \$0.55 (Fifty-Five Cents) per hour for each hour worked by each employee covered by this Agreement.

Pension Fund: \$1.00 (One Dollar) per hour for each hour worked by each employee covered by this Agreement.

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Lynda E. Ames	Office Manager III (0)	Property Maintenance (division of Property)	replacing Ms. M. Long - retired	\$27,278.68 to \$32,060.60	\$27,278.68 per annum (1 of 5)	Feb. 16, 1989
Mr. Frank Blancucci	Fire Safety Officer (C-7A)	Fire	replacing Mr. D. Williams - promoted	\$44,429.54	\$44,429.54 per annum	Jan. 16, 1989
Mr. Fred Calcani	Programmer I (A-17)	Information Systems	approved Nov. 1, 1988	\$707.82 to \$845.62	\$707.82 per week (1 of 5)	Jan. 09, 1989
Ms. Lorraine Campbell	Stenographer III (E-3)	Property Maintenance (division of Property)	replacing Ms. L. Ames - promoted	\$361.95 to \$391.04	\$375.12 per week (2 of 3)	Jan. 09, 1989
Ms. Linda J. Cooper	Receipts Clerk III (E-4)	Treasury	replacing Ms. D. Marsh - promoted	\$397.31 to \$425.83	\$397.31 per week (1 of 3)	Jan. 23, 1989
Ms. Maryann Cuthbert	Stenographer I (E-5)	City Clerk's	replacing Ms. D. McGuire - promoted	\$406.87 to \$457.46	\$406.87 per week (1 of 4)	Jan. 09, 1989
Mr. James Davis	Utilities Maintenance/ Operator (M-15)	Central Utilities Plant (division of H.E.C.F.I.)	replacing Mr. C. Ruschinski - promoted	\$14,637	\$14,637 per hour (1 of 1)	Jan. 09, 1989

Prepared 08 February 1989

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Ralph Denardis	Programmer I (A-17)	Information Systems	approved Nov. 1, 1988	\$707.82 to \$845.62	\$765.61 per week (3 of 5)	Jan. 09, 1989
Ms. Sandra Hutcheon	Taxation Clerk IV (E-4)	Treasury	replacing Ms. H. Fotheringham - retired	\$397.31 to \$425.83	\$410.00 per week (2 of 3)	Jan. 23, 1989
Mr. William G. Johnson	Yard Attendant (D-11)	Public Works	replacing Mr. A. Giamotti - resigned	\$12.391 to \$12.591	\$12.391 per hour (1 of 2)	Jan. 30, 1989
Ms. Mary Mackay	Switchboard Operator (A-3)	City Clerk's	replacing Ms. L. Parlee - resigned	\$394.30 to \$447.93	\$394.30 per week (1 of 4)	Jan. 16, 1989
Ms. Mary Markham	Supervisor Gift Shop (Dundurn Castle) (R-1)	Culture & Recreation	replacing Ms. D. Iles - resigned	\$8.694	\$8.694 per hour (1 of 1)	Jan. 02, 1989
Ms. Silena McEwen	Booking Co-ordinator/ Secretary (8)	Convention Centre (division of H.E.C.F.I.)	replacing Ms. M. Mogford - resigned	\$20,105.80	\$20,105.80 per annum	Jan. 16, 1989
Mr. Ronald McInnis	Small Equipment Repairman/Woman/ Attendant (D-12)	Public Works	additional staff approved by City Council June 28, 1988	\$12.978 to \$13.178	\$13.178 per hour (2 of 2)	Jan. 02, 1989

Prepared 08 February 1989

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Audrey O'Sullivan	Receptionist-Secretary (5)	Convention Centre (division of H.E.C.F.I.)	replacing Ms. S. McEwen - promoted	\$17,171.44	\$17,171.44 per annum	Feb. 06, 1989
Ms. Linda Raike	Typist Clerk II (E-2)	Treasury	replacing Ms. L. Juchniewicz - promoted	\$339.51 to \$365.75	\$339.51 per week (1 of 3)	Feb. 06, 1989
Mr. Nick Roundis	Preventive Maintenance Co-ordinator (M)	Property Maintenance (division of Property)	replacing Mr. F. Eckenrath - retired	\$30,321.72 to \$35,755.72	\$30,321.72 per annum (1 of 5)	Jan. 05, 1989
Mr. Brian Schweitzer	Lieutenant (C-7)	Fire	replacing Mr. G. Desjarlais - promoted	\$44,429.54	\$44,429.54 per annum	Jan. 22, 1989
Mr. Robert Shaw	Lieutenant (C-7)	Fire	replacing Mr. D. Hildrop - retired	\$44,429.54	\$44,429.54 per annum	Jan. 22, 1989
Mr. Ronald Thornberry	Programmer I (A-17)	Information Systems	approved Nov. 1, 1988	\$707.82 to \$845.62	\$765.61 per week (3 of 5)	Jan. 09, 1989
Ms. Janice L. Tomkins	Accident Report Clerk (E-4)	Traffic	replacing Ms. J. Berestecki - promoted	\$397.31 to \$426.83	\$410.00 per week (2 of 3)	Jan. 09, 1989
Mr. John Verbeek	Fire Safety Officer (C-7A)	Fire	replacing Mr. R. E. Gay - retired	\$44,429.54	\$44,429.54 per annum	Jan. 16, 1989

Prepared 08 February 1989

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Bernardo Agro	Inspector	Building	Resigned	4 years	February 03, 1989
Mr. G. Bolger	Caretaker	Property Maintenance (division of Property)	Terminated	9 years, 7 months	January 03, 1989
Ms. Helen Fotheringham	Taxation Clerk IV	Treasury	Retired	27 years, 2 months	January 31, 1989
Mr. Alfredo Giannotti	Yard Attendant	Public Works	Resigned	10 months	December 19, 1988
Mr. Nick Hryhoriw	Handyman	Central Utilities Plant (division of H.E.C.F.I.)	Retired	9 years, 3 months	January 31, 1989
Mr. Gord Kudlowich	Motor Mechanic	Central Garage (division of Public Works)	Resigned	2 years, 2 months	February 03, 1989
Ms. Mona Long	Office Manager	Property Maintenance (division of Property)	Retired	29 years, 2 months	February 01, 1989
Mr. William Nagy	Foreman II (Cleaning Operations)	Public Works	Retired	21 years, 8 months	January 31, 1989
Ms. Janice Tompkins	Accident Report Clerk	Traffic	Resigned	14 years, 2 months	January 20, 1989

Prepared 08 February 1989

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its FIFTH Report for 1989 and respectfully recommends:

1. That a purchase order be issued to Buntin Gillies, Hamilton in the amount of \$76 954.27 for the supply and delivery of fine paper as and when required to various locations during 1989, in accordance with specifications issued by the Co-ordinator of Regional Purchasing and Vendor's tender.

Note: Lowest of two (2) tenders received. Funds provided in various accounts.

2. That a purchase order be issued to Union Gas Limited, Hamilton, in the amount of \$22 945 plus Provincial sales tax, for the emergency boiler repair at Jimmy Thompson Pool.

Note: Only supplier available. Funds provided in 1988 Energy Conservation Account No. CF5200-318841043.

As this is an emergency boiler replacement, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, which states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

3. That a purchase order be issued to Sheridan Equipment Ltd., Toronto, in the amount of \$56 403 for the replacement of one (1) Integral Tractor Loader No. 9532 Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of four (4) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

4. That a purchase order be issued to Pierre Thibault Trucks Inc., Quebec, the amount of \$252 200 plus applicable taxes, for the replacement of one (1) 5,000 L/Min Class "A" Triple combination Pumper, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Only tender received. Funds provided in Reserve for Mobile Equipment Account No. RF55002-25201.

5. That purchase orders be issued for the replacement of twenty-six (26) Vehicles Nos. 1321/25/29/33/37/38/56/60/66/76/86/87/89/91/92/93/96/97, 1407/8/16/17/20/27/28/30 City Garage, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

<u>Bay King Motors, Hamilton</u>	seventeen (17) vehicles	\$156 671.59
<u>Mohawk Ford Sales, Hamilton</u>	eight (8) vehicles	74 364.64
<u>George Leng Motors, Grimsby</u>	one (1) vehicle	9 180.68

Note: Lowest of seven (7) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55001-25201.

6. That a purchase order be issued to George Leng Motors, Grimsby, in the amount of \$20 234.08, for the replacement of two (2) Vehicles Nos. 1668/9, Hamilton Fire Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of nine (9) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55002-25201.

7. That a purchase order be issued to Robert Slessor Pontiac, Grimsby, in the amount of \$20 073.19, for the replacement of one (1) Commercial Dual Purpose Vehicle No. 1665, Hamilton Fire Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of three (3) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55002-25201.

8. That a purchase order be issued to Battlefield Equipment Rentals Inc., Stoney Creek, in the amount of \$24 248.16, for the replacement of two (2) Silenced Portable Air compressors Nos. 9803/5, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of five (5) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

9. That a purchase order be issued to V-Quip, Burlington, in the amount of \$46 328.76, for the replacement of one (1) Steel Drum Vibratory Roller No. 9690 Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of two (2) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

10. That a purchase order be issued to Altruck Transportation Services, Hamilton, in the amount of \$96 150.92, for the replacement of one (1) 12 Cu.Yd. Heavy Duty Snow Plow and Sanding Truck No. 9608, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of two (2) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

11. That a purchase order be issued to Carter GM Trucks, Hamilton, in the amount of \$91 686.61, for the replacement of seven (7) Vehicles Nos. 1315, 1330, 1331, 1334, 1380, 1384, 1394 City Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of eight (8) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55001-25201.

12. That a purchase order be issued to Carter GM Trucks, Hamilton, in the amount of \$41 993.43, for the replacement of three (3) 5 Passenger Window Vans Nos. 1377, 1382 and 1404, City Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of eight (8) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55001-25201.

13. That a purchase order be issued to G. C. Duke Equipment Ltd., Burlington, in the amount of \$57 553.20 for the replacement of four (4) Turf Truckers Nos. 9470, 9490, 9496, 9486 Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Only tender received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

14. That a purchase order be issued to G. C. Duke Equipment Ltd., Burlington, in the amount of \$14 580, for the replacement of one (1) Ryan Aerator No. 9855, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Only tender received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

15. That a purchase order be issued to Marsh Bros. Tractors Inc., Copetown, in the amount of \$11 500.92, for the replacement of one (1) Cushman Riding Mower No. 9860, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest acceptable of four (4) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

16. That a purchase order be issued to Turf Care, Markham, in the amount of \$98 280 for the replacement of two (2) Golf Course Tractors with mowers No. 9476, 9489 Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of two (2) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

17. That a purchase order be issued to Altruck Transportation Services, Hamilton, in the amount of \$293 758.40, for the replacement of four (4) 34,000 GVW Chassis with high density Garbage Packers Nos. 9110, 9124, 9145, 9144, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of five (5) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55004-25201.

18. That a purchase order be issued to Altruck Transportation Services, Hamilton, in the amount of \$639 605.20, for the replacement of seven (7) 52,000 GVW Chassis with high density Garbage Packers Nos. 9102/3/4/32/33/35/36/37, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of five (5) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55004-25201.

19. That a purchase order be issued to Holland Chev Olds., Burlington, in the amount of \$14 837.36, for the replacement of one (1) Full Size Vehicle No. 1674, Hamilton Fire Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest acceptable of three (3) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55002-25201.

20. That a purchase order be issued to Ontario Turf Equipment Co. Ltd., London, in the amount of \$42 252.84, for the replacement of three (3) Toro Greensmasters No. 9935, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of two (2) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

21. That a purchase order be issued to V-Quip Inc., Burlington, in the amount of \$36 723.05, for the replacement of seven (7) Golf Course Utility Vehicles Nos. 9056, 9809/10/12/13/14/16 Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of three (3) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

22. That a purchase order be issued to G. C. Duke Equipment Ltd., Burlington, in the amount of \$58 870.80 for the replacement of four (4) Turf Trucksters Nos. 9452/82/3/4, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest acceptable of two (2) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

23. That a purchase order be issued to Ontario Turf Equipment Co. Ltd., London, in the amount of \$60 456.24 for the replacement of thirteen (13) Jacobsen Greensmowers No. 9852, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest acceptable of two (2) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

24. That a purchase order be issued to G. C. Duke Equipment Ltd., Burlington, in the amount of \$38 880, for the replacement of four (4) National Triplex Mowers Nos. 9822/60, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest acceptable of three (3) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

25. That the refund of the \$2 600 deposit and other costs incurred by Joseph and Gino Tittarelli, as approved by City Council 1989 January 31, be charged to the Reserve for Property Purchases, Account No. RF 53003 25202.

Note: Due to the rescinding of the sale of Old Nash Road between Brampton and Nash Road, the applicants will have their deposit of \$2 600 returned, plus their application fee of \$208 and "all reasonable survey and legal costs incurred by them with respect to the closure application" (to be determined).

26. That the estimated cost of \$3 442 to assign a school crossing guard for a six month trial period at the intersection of King Street West and Strathcona Avenue, as approved by City Council 1989 January 31, be funded from the existing School Crossing Guard Budget, on an overdraft basis if necessary.

27. That, pursuant to the requirements of The Municipal Act, the statement of the Treasurer attached hereto as **APPENDIX "A"** summarizing remuneration and expenses paid to members of Council and members of Other Bodies for the year 1988, **be approved.**

28. That only those General Grant applications submitted by 1989 March 10, will be considered for possible funding in order to fairly allocate the 1989 Grants Budget.

Note: At its meeting of 1989 February 21, the Finance Committee received an overview of the 1989 Grants from the Grants Review Group. The report disclosed that there is a shortfall of funds in the amount of \$202 960 between the requested General Grants and the proposed budget which has been frozen at \$947 000. The Finance Committee concurs with the Grants Review Group that a deadline should be established so that all the General Grant requests are known when considering the final Grant decisions for 1989. The March 10th date will provide sufficient time for the Grants Review Group to prepare the recommendations on Grants for the March 21st meeting of the Finance Committee.

29. That the following procedures be implemented relative to Convention/Reception Grants:
- (a) That an application be considered by the Grants Review Group to ensure that the eligibility requirements are consistent with the policy.
 - (b) That the funding formula (\$4 per participant to a maximum of \$1 500) be applied to the request and the applicant be advised of this grant amount;
 - (c) That if the applicant feels that this grant amount is insufficient for their event and wishes to appeal this decision, then the appeal will be heard by the Finance Committee;
 - (d) That if the applicant agrees to this amount, payment of the grant will be made upon receipt of a completed standard report which will summarize the event after the event has concluded;
 - (e) That the Finance Committee be forwarded timely information reports summarizing the Convention/Reception Grants issued in this fashion.
- Note:** This procedure will expedite the processing of Convention/Reception grant requests. The principle of this procedure is similar to that used for processing Settlement of Claims.
30. That the Summary Report attached hereto as **APPENDIX "B"** containing a listing and amounts of approved Settlement of Claims, be received in accordance with established policy.
31. (a) That a grant in the amount of \$1 760 be made to the Hamilton Corporate Challenge c/o Melissa Gould and the Mazzetti, Team Captains for the sponsorship of two teams of civic employees to participate in the annual Hamilton Corporate Challenge to be held Sunday, 1989 June 11 at McMaster University.
- (b) That this expenditure be financed from Account No. CH55120-24201, Unclassified.

32. WHEREAS the Ministry of Municipal Affairs provides unconditional grants to municipalities to operate local programs and services;

AND WHEREAS The Honourable John Eakins, Minister of Municipal Affairs announced 1988 December 12 that the total amount of money available to each municipality under the Ontario Unconditional Grants Program remains the same as in 1988;

AND WHEREAS municipalities may have to increase property taxes and user fees to finance basic municipal services;

BE IT THEREFORE RESOLVED that the Minister of Municipal Affairs be advised that the Council of the City of Hamilton strongly objects to the freezing of the Unconditional Grants to the same level as 1988.

Note: With the adoption of Section 7 of the THIRD Report of the Co-ordinating Committee, City Council requested that the Finance Committee consider the formulation of a resolution for consideration by City Council to petition the appropriate Provincial Minister to review the Unconditional Grant funding to municipalities.

Respectfully Submitted,

ALDERMAN W. M. McCULLOCH, CHAIRMAN
FINANCE COMMITTEE

John Thompson, Secretary
1989 February 21

m jw

City of Hamilton
Treasury

STATEMENT OF THE TREASURER

APPENDIX "A" as referred
to in Section 27 of the
FIFTH Report of the
Finance Committee

REMUNERATION AND EXPENSES PAID TO MEMBERS OF COUNCIL
AND MEMBERS OF OTHER COMMITTEES AND BOARDS FOR THE YEAR 1988.

(Prepared pursuant to By-Law 79-60 Approved by Council January
29th, 1979, By-Law 79-300 Approved by Council Oct.30th, 1979 and
Section 243 of the Municipal Act, R.S.O. 1980, Chapter 302).

1. REMUNERATION

(a) Members of Council	Salary
Agostino, D.	17,824.95
Agro, V. J.	17,824.95
Christopherson, D. H.	14,428.04
Cooke, T. J.	14,428.04
Copps, G. F.	12,983.98
Cowell, P. R.	16,481.27
Drury, D.	1,343.68
Gallagher, J.	17,824.95
Hinkley, B. K.	17,824.95
Jackson, T.	1,343.68
Kiss, M. A.	17,824.95
Lombardo, F.	1,343.68
McCulloch, W. M.	17,824.95
Merling, H.	17,824.95
Morrow, R. M.	55,302.04
Murray, T.	17,824.95
Ross, D.	17,824.95
Smith, J. R.	17,824.95
Valeriano, P.	16,481.27
Wheeler, R.	13,084.36
	<u>325,469.54</u>

* One-third of these amounts deemed to be "Expenses" in
accordance with section 251 of the Municipal Act.

(b) Committee of Adjustment

Member	Honorarium
Lombardo, F.	2,100.00
Rocchi, F.	2,600.00
Skofac, M.	2,100.00
Woods, L. G.	2,100.00
Young, C.	2,100.00
	<u>11,000.00</u>

(c) Licence Examining Board

Member	Honorarium
Allick, B.	620.00
Allison, H.	310.00
Bradshaw, R.	620.00
Gibson, D.	310.00
Groves, L.	310.00
Hewitt, C.	620.00
Holm, M.	310.00
Hooker, G.	310.00
Korz, G.	620.00
Langdon, D.	620.00
Macintyre, D.	310.00
Macleod, D.	620.00
McGurk, A.	310.00
Peacock, H.	620.00
Sanders, E.	620.00
Skinner, J.	310.00
Taffs, R.	310.00
Walker, J.	620.00
	<u>8,370.00</u>

EXPENSES

(Residence telephone allowance, travelling - registration fee, per diem, accommodation, etc., plus local grant to Mayor.)

(a) Members of Council

Agostino, D.	4,254.44
Agro, V. J.	138.27
Christopherson, D. H.	1,019.73
Cooke, T. J.	138.27
Cowell, P. R.	126.71
Drury, D.	11.56
Gallagher, J.	138.27
Hinkley, B. K.	3,896.01
Jackson, T.	11.56
Kiss, M. A.	138.27
Lombardo, F.	11.56
McCulloch, W. M.	5,475.12
Merling, H.	1,101.89
Morrow, R. M.	14,458.98
Murray, T.	2,481.37
Ross, D.	138.27
Smith, J. R.	1,121.89
Valeriano, P.	1,562.51
Wheeler, R.	126.71
	<u>36,351.39</u>

(b) Parking Authority Appointees

Alderman Agro, V. J.	1,456.49
Adamson, T.	2,989.73
	<u>4,446.22</u>

(c) Public Library Appointees

Meiklejohn, A.	335.58
Rogers, P.	603.60
	<u>939.18</u>

APPENDIX "B" as referred
to in Section 30 of the
FIFTH Report of the
Finance Committee

FINANCE COMMITTEE

SUMMARY OF APPROVED SETTLEMENT OF CLAIMS

<u>PLAINTIFF</u>	<u>DEFENDANT</u>	<u>NATURE OF CLAIM</u>	<u>AMOUNT OF SETTLEMENT</u>
Likavec	City of Hamilton	Slip and Fall 1987 November 05	\$5 750.
Ms. Walsh	City of Hamilton, Regional Municipality of Hamilton-Wentworth, Scotiabank and Can-Am Bancorp	Trip and Fall 1986 February 25	\$9 298.18
Marjorie Walsh	City of Hamilton and Town Manor	Slip and Fall 1986 February 14	\$2 153.65

REPORT OF THE INFORMATION SYSTEMS COMMITTEE

The Information Systems Committee met at 9:30 o'clock a.m. on Thursday, 1989 February 23 in the Committee Room, 15th Floor, Regional Offices.

Present: Chairman (Councillor) J. Gallagher
Councillor S. Napper
Councillor M. Kiss
Councillor G. Copps
Councillor A. Sloat

Members of Council:

The Information Systems Committee presents Report 2-89.

1. CITY OF HAMILTON CAPITAL PROJECT -
DATABASE AND 4TH GENERATION LANGUAGE PROJECT
SELECTION OF VENDORS

Your Committee recommends:

- (a) That the required software for the Database, 4th Generation Language and related software be in accordance with the following (i)

<u>Description</u>	<u>Product Name</u>	<u>Vendor</u>	<u>Upset Limit (ii)</u>
Database	DB2	IBM Canada Ltd. (Hamilton)	\$232 000
4th GL (iii)	Focus	Information Builders Inc. (Toronto)	\$168 000
CASE Tool (iv)	Excelerator	Index Technologies Inc. (Toronto)	\$156 000
			<u>\$556 000</u>

Notes: (i) This package represents the lowest cost of the three alternatives subject to final evaluation.
(ii) Includes adjustments for current pricing.
(iii) GL - Generation Language
(iv) CASE - Computer Aided Software Engineering

- (b) That the acquisition costs for the Database, 4th Generation Language and related software be funded from Works in Progress Account Numbers CF 5010-25865-1002, CF 5010-2587-51002 and CF 5010-2588-51003.
- (c) That the vendor purchase agreements be in a form satisfactory to the City Solicitor.

- (d) That staff development, training (including expenses) and installation support for the Database, 4th Generation Language and related software (\$139 600) be funded from Works in progress Account Nos. CF 5010-2586-51002, CF 5010-2587-51002 and CF 5010-2588-51003.

2. 1989 CURRENT BUDGET

Your Committee recommends:

That the 1989 Information Systems Current Budget for the Region be approved at the Maintenance Level and forwarded to the Committee of the Whole for inclusion in the overall 1989 Current Budget.

Agenda Item #4

Respectfully Submitted,

J. Gallagher, Chairman

John Thompson, Secretary
1989 February 23

FOR THE INFORMATION OF COUNCIL

(a) MINUTES

The minutes of the meeting of the Information Systems Committee held 1989 January 26 were received and adopted as corrected.

Agenda Item #1

(b) EMPLOYEE COMPUTER LITERACY INCENTIVE PROGRAM

Received.

Agenda Item #2

BY-LAW NO. 89 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28th DAY OF FEBRUARY A.D., 1989.

WHEREAS by Section 19 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

day of

A.D. 1989

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

Traffic By-law No.

Now Therefore the Council of the Corporation of the City of Hamilton enacts as follows:

PART I

GENERAL

Interpretation

1. (1) In this by-law.

(a) "authorized emergency vehicle" includes.

- (i) ambulance or hearse;
- (ii) Ontario Provincial Police and Royal Canadian Mounted Police Vehicle;
- (iii) Corporation of the City of Hamilton vehicle, Regional Municipality of Hamilton-Wentworth vehicle and Hamilton Street Railway vehicle, each clearly identified by a crest or other markings;
- (iv) Bell Telephone Company vehicle, United Gas Company vehicle, Union Gas Company vehicle, Ontario Hydro Electric Power Commission vehicle, Hamilton Hydro Electric System vehicle or any other public utility vehicle or telegraph company vehicle or Canada Post Office vehicle, each clearly identified by a crest or other markings;
- (v) Armoured car normally carrying cash or negotiable securities; and

(1a) "physically handicapped person" means a person who is the holder of a valid motor vehicle drivers licence and who is permanently confined to a wheel chair or who is restricted to the permanent use of crutches or braces or who otherwise is permanently disabled in such a way that his or her mobility is seriously restricted:". 81-264

(vi) Ministry of Transportation maintenance vehicle:

(aa) "block" means a roadway or part of a roadway between two adjacent intersections or between an intersection and the end of the roadway but does not include a highway listed in

Schedule 9:

- (b) "boulevard means and includes all such parts of the highway as are situate between the curb or edge of the roadway and the nearest limit of the highway, or between two separated roadways, exclusive of the areas covered by a public sidewalk; and the former may be known and referred to as a "side boulevard" and the latter as a "middle boulevard";
- (c) "bus" includes a trolley coach;
- (ca) "chief of police" means the Chief of Police of The Regional Municipality of Hamilton-Wentworth;
- (cb) "city means the City of Hamilton;
- (d) "commercial vehicle" includes,
 - (i) a vehicle licensed as a commercial vehicle under the Highway Traffic act; and
 - (ii) a station wagon which has permanently attached to both front doors a permanent sign no smaller than 150 square inches in size identifying the person or company for which the vehicle is used, and which is being used at the time for the purpose of making deliveries or of loading or unloading merchandise; and
 - (iii) a taxi cab which is actively engaged in the pick-up or delivery of parcels, or the discharge of passengers; and
 - (iv) a vehicle bearing a current City of Hamilton Cartage licence plate; and
 - (v) an automobile, truck or van which has permanently attached to both front doors a permanent sign, no smaller than 150 square inches in size, identifying the company for which the vehicle is used, and provided that the vehicle is actively engaged in loading and unloading merchandise at the business address of that company;
- (da) "commissioner of engineering" means the Commissioner of Engineering for the Regional Municipality of Hamilton-Wentworth;
- (db) "constable" includes police officer, special constable and by-law enforcement officer;
- (e) "corner" with reference to a highway intersection means the

The Corporation of the City of Hamilton

FIRE ROUTES

By-law No.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. In this by-law,

- (a) "authorized emergency vehicle" includes fire department vehicles and equipment;
- (b) "building" means any building or structure in the City except a separate or detached building containing not more than two single family dwelling units. By-law No. 76-295, S.1;
- (c) "by-law enforcement officer" means an officer of the City appointed for carrying out the provisions of this by-law;
- (d) "chief fire prevention officer" shall mean that person appointed by the Council of the City on the recommendation of the fire chief as the chief fire prevention officer of the City. By-law No. 75-299, S.2;
- (e) "City" means City of Hamilton;
- (f) "constable" means a police constable who is a member of the Hamilton-Wentworth Regional Police Force.
- (g) "fire route" means an access or egress route not less than 12 feet wide providing easy access to and egress from buildings or structures for the purpose of preventing fires or the spread of fires;
- (h) "fire chief" means the chief of the fire department of the City;
- (i) "land" means private property;
- (j) "park" or "parking" means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, except an authorized emergency vehicle;
- (k) "property owner" includes,
 - (i) a person whose interest in land is defined in and whose name is specified in an instrument in the Registry Office or Land Titles Office; or
 - (ii) a person who is or appears to be receiving the rent of the land or premises whether on his own account or as agent, or trustee, or representative, or in any other capacity, or who would receive the rent if the land or premises were

leased by any person. By-law No. 75-299, S.3;

- (1) "required signs" means signs of which the size, shape, colour, material and mounting position are approved by the fire chief, and using words displaying the following information:

(i) Fire Access Route;

(ii) A. for signs erected on or before December 31, 1977, using the words displaying the information "No Stopping" or a symbol in lieu thereof specified under The Highway Traffic Act;

B. for signs erected after December 31, 1977, using the symbol for "No Stopping" specified under The Highway Traffic Act;

(iii) A. for signs erected on or before December 31, 1977, using the words displaying the information "No Parking" or a symbol in lieu thereof specified under The Highway Traffic Act;

B. for signs erected after December 31, 1977, using the symbol for "No Parking" specified under The Highway Traffic Act. By-law No. 76-295, S.2;

(iv) Vehicles will be tagged and/or towed away;

(v) Number of this by-law, or of previous By-law 75-168;

(m) "route" means a private roadway;

(n) "stop" or "stopping" means the halting of a vehicle, even momentarily, whether occupied or not, except an authorized emergency vehicle;

(o) "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by muscular power but does not include an authorized emergency vehicle.

2. (1) The fire chief may require any land or private roadway or property of the City or a local board thereof to be established as a fire route for authorized emergency vehicles.

(2) Land or any private roadway or property of the City or a local board thereof as required to be established under subsection 1, is hereby designated as a fire route.

(3) For the purpose of this section, land or a private driveway shall be deemed to have been designated where the fire chief notifies the property owner by registered mail that a fire route is required and showing the location of the fire route on a diagram

or describing the location of the fire route. By-laws Nos. 77-53, S.1; 77-172, S.1,2.

3. Where land has been designated under subsection 2, the fire chief or chief fire prevention officer may issue an order requiring the property owner to,
 - (a) establish the fire route;
 - (b) erect and maintain required signs at locations on the fire route approved by the fire chief,within the time specified in such order.
4. Every person to whom an order has been issued shall,
 - (a) comply with the order, within the time specified;
 - (b) establish the fire route;
 - (c) erect the required signs;
 - (d) maintain the required signs. By-law No. 75-299, S.5.
5. No person shall erect and maintain the required signs at any location not approved by the fire chief.
6.
 - (1) No person shall move or remove a required sign without the approval of the fire chief.
 - (2) No person shall change the content or injure any required sign.
7. Every required sign shall be erected and maintained at full cost and expense of the property owner.
8. Except as required by authorized emergency vehicles, a fire route shall be established and maintained by the property owner fully free of obstructions, encumbrances, injuries or fouling.
9. No person shall obstruct, encumber, injure or foul up a fire route.
10. Except as required by authorized emergency vehicles, no person shall park a vehicle on a fire route where suitable signs have been erected and maintained which prohibit parking.
- 10a. Except as required by authorized emergency vehicles, no person shall stop a vehicle on a fire route where suitable signs have been erected and maintained which prohibit stopping.
11. Where a driver of the vehicle, not being the owner, parks the vehicle contrary to section 10 and is liable to a penalty, the owner of the vehicle is also liable to such penalty unless at the time the offence was committed the motor vehicle was in possession of a person other than the owner or his chauffeur without the owner's consent.
12. A constable or a by-law enforcement officer, upon discovery of a vehicle parked or standing in contravention of this by-law, may cause the

vehicle to be moved or taken to and placed or stored in a suitable place.

13. All costs and charges for removing, care and storage of the vehicle, if any, are a lien upon the vehicle which may be enforced in the manner provided by section 48 of The Mechanics Lien Act.
14. Where a vehicle is parked or left along any fire route so designated, the removal or impounding shall be at the expense of the owner thereof. By-law No. 75-168, S.1.
15. Every person who contravenes any provision of the by-law is guilty of an offence and is liable to a fine of not more than \$2,000.00 exclusive of costs. By-law No. 81-218, S.9.
- 15a. The owner of a vehicle that is parked, stopped or left standing in contravention of this by-law is guilty of an offence and is liable to a fine of not more than \$2,000.00, exclusive of costs, unless the owner proves to the satisfaction of the court that at the time of the offence the motor vehicle was in the possession of another person without the owner's consent, express or implied. By-law No. 81-125, S.1.
16. Where a vehicle is alleged to be parked or stopped on a fire route, a constable or a by-law enforcement officer observing some may attach to the vehicle or send by registered post to the owner of the motor vehicle, a serially numbered tag bearing the licence number and general description of the vehicle and specifying that the vehicle is parked or stopped on a fire route and location of the fire route.
17. Any person upon presentation of the tag may pay out of court, within seven days of the date of the tag a penalty in respect of a vehicle that is,
 - (a) parked, of not less than \$13.00;
 - (b) stopped, of not less than \$25.00;By-law No. 84-131, S.3(1),(2).
18. Where a person to whom an order has been issued fails to do the matters or things referred to in clauses (c) or (d) of section 4, or does not do the matters or things in manner satisfactory to the fire chief, the fire chief or the chief fire prevention officer, with the approval of the Council of the City, may cause the matters or things to be done in a satisfactory manner at the expense of the person and the City shall recover the expense incurred in doing it in a like manner as municipal taxes. By-law No. 75-299, S.5.
19. Every reference to By-law 75-168 shall be a reference to this By-law.
20. By-law No. 75-168 (FIRE ROUTES) passed on the 10th day of June 1975, and all subsequent amendments are hereby repealed on the date of the passing and enactment of this By-law.

PASSED this

day of

A.D. 1989.

City Clerk

Mayor

(1989) 5 R.T.E.C. 17, February 28

The Corporation of the City of Hamilton

THE PARKS BY-LAW

By-law No.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. In this by-law,

- (a) "alcoholic beverage" means liquor;
- (b) "by-law enforcement officer" means a by-law enforcement officer of the City;
- (c) "City" means the City of Hamilton;
- (d) "commercial motor vehicle" means a motor vehicle having attached to it a truck or delivery body or unit;
- (e) "liquor" has the same meaning as in the Liquor Licence Act, 1975;
- (ea) "loiter" means to remain in an area of a park for no obvious reason, or for reasons for which the park or any facility thereon was not intended; By-law 86-334, S.1.
- (eb) "motorized snow vehicle" has the same meaning as in By-law No. 71-23;
- (f) "motor vehicle" includes an automobile, motorcycle, snowmobile, moped, minibike, or any other vehicle propelled or driven otherwise than by muscular power;
- (g) "official sign" means a sign erected pursuant to section 30 and any other sign approved by Council;
- (h) "Park" includes public park, recreation ground, stadium, arena, square, avenue, boulevard, drive, and any facility thereon; By-law 86-334, S.1.
- (i) "police constable" means a member of the Hamilton-Wentworth Regional Police Force;
- (j) "recreation ground" means a recreation centre, play lot, playground, playfield, school ground, athletic field and includes any building thereon;
- (k) "parking space" means that part of any roadway, drive or area designated by the City for the parking of vehicles;
- (l) "public parking area" means an area of the Park on which there is an official sign;

- (la) "residence" means a place that is actually occupied or used as a building;
- (m) "roadway" or "drive" means that part of a Park that is set aside for use of vehicular traffic;
- (n) "sign" includes any mode or method provided by the City for the purpose of indicating instructions, directions or regulations pertaining to vehicles;
- (o) "trailer" means a vehicle that is at any time drawn upon a highway by a motor vehicle or vehicle;
- (p) "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, except motorized snow vehicles;
- (q) "wine" has the same meaning as in The Liquor Licence Act, 1975. By-law No. 78-97, S.1, S.2, S.3, S.4; By-law 80-002, S.1(a,b).

PART I

USE OF PARKS BY PERSONS

2. (1) No person shall, in a Park, cut, climb, break, injure, deface or disturb any property including,
 - (a) a tree, shrub, plant, grass or rock;
 - (b) a building, cage, pen or monument;
 - (c) a bench or apparatus.
- (2) No person shall, in a Park, pull up, pluck, cut, take or remove any bush, shrub, flower or any other plant.
- (3) No person shall, in a Park, cut or remove any,
 - (a) wood;
 - (b) turf or grass;
 - (c) soil, sand, rock or gravel. By-law No. 78-97,
- (4) No person shall, in a Park, mark or write upon,
 - (a) any part of the interior or exterior of a building;
 - (b) any monument, fence, bench or other structure.
- (5) No person shall, in a Park, damage or otherwise injure any real or personal property of the City.
3. (1) No person shall swim, bathe, wade in or enter the waters of a pool, fountain, pond, lake or stream in a Park, except when and where designated for such purposes by the City.
- (2) No person shall permit a child in his care, custody or charge, to swim, bathe, wade in or enter into the waters of any ornamental pool or fountain.
- (3) No person shall disrobe or change his clothes in a vehicle or any other place in a Park, except a building or tent provided for that purpose.
- (4) No person shall swim, bathe, wade in or enter into the waters of a pool, fountain, pond, lake or stream in a Park, disrobed.
- (4a) No person shall use a metal detector in a park listed in Schedule "A" hereto annexed. By-law 82-180, S.1.

- (5) No person shall pollute any waters in a Park where swimming, bathing or wading is permitted, by introducing into such waters any wood, glass, metal, soil, sand, gravel, any debris, waste, refuse or any other foreign matter, thing or substance into the water.
- (6) No person shall bring into or have in his custody or possession, any bathing area or in any swimming area of a Park, any bottles, glassware, metal or other material which may cause injury to the bare feet.
4. (1) No person shall camp or lodge in a Park at a place not designated by the City for such purpose.
- (2) No person shall hold a picnic in a Park at a place not designated by the City for such purpose.
5. No person shall make or maintain a fire for any purpose in a Park, except,
 - (a) at a place provided by the City for such purpose; or
 - (b) with the prior consent of the City upon such terms and conditions as the City may specify.
6. (1) No person shall, in a Park, carry or discharge,
 - (a) firearms;
 - (b) air guns or spring gun;
 - (c) catapults;
 - (d) fire crackers, rockets, torpedoes or any other fireworks,except with the permission of, and at a place provided by the City for any such particular purpose.
- (2) No person shall carry any bows and arrows or discharge arrows in or into a Park except at any archery range established by the City.
- (3) No person shall carry in a Park any hunting knife or any weapon apparently available for the purpose of inflicting injury upon any person using the Park.
- (4) No person shall throw a stone or other object or missile that may cause injury or damage to any person or property.
7. No person shall convene or conduct, in a Park, any parade or procession, or take part in any parade or procession in a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.
8. No person shall convene or conduct or hold a public meeting in a Park or

deliver a speech in a Park, as a member of, or to members of any political organization, any group or to members of the general public, except with with prior written permission of the City, upon such terms and conditions as the City may specify.

9. (1) No person shall carry, exhibit, affix or erect any placard, sign or notice, or other advertising device in a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.
- (2) No person shall distribute, deposit or leave any book, pamphlet, handbill, notice, paper or advertising device in a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.
10. (1) Having regard to the kind of Park, no person shall ring a bell, blow a horn, shout, play a radio or tape recorder, or records or use any other electronic or mechanical device, or make any other noise that is likely to interfere unreasonably with the enjoyment of the Park by any other person.
- (2) No person shall operate a motor driven model airplane or boat or vehicle, or any other model in a Park, except at a place provided by the City for such purpose.
- (3) No person shall use a public address system or other device or equipment for amplifying sounds in a Park, except,
 - (a) with the prior written permission of the City, upon such terms and conditions as the City may specify;
 - (b) an automobile horn or other signalling device affixed permanently to a vehicle and used for the purpose of warning any person for that person's safety, by reason of operation of the vehicle;
 - (c) any band instruments or other equipment for entertainment provided by the City.
11. No person shall sell, or offer for sale, or expose for sale or advertise for sale in a Park, any,
 - (a) food or drink or food and drink;
 - (b) newspaper, magazine or writing;
 - (c) goods, wares or merchandise;
 - (d) art, skill or services,

except with the prior written permission of the City, upon such terms and conditions as the City may specify.

12. No person shall practice or carry on or conduct or solicit for any trade, calling, business or occupation in a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.
13. No person, unless duly authorized, shall enter into any place, in a Park, where the sign "No Admittance" is displayed.
14. No person shall enter into or upon, or remain in a Park, unless clad in a manner that is not objectionable to users of the Park.
15.
 - (1) No person, whether individual or as a member of a group of persons, or as a member of a team, shall engage in or play baseball, cricket, football, tennis, croquet, or any other game or sport, in a Park, except at a place provided by the City for the purpose of the particular game or sport.
 - (2) No person shall play golf, drive a golf ball or use golf clubs or other equipment or drive a golf cart in a Park except in an area provided by the City for that purpose.
 - (3) No person shall play any game in a Park within twenty feet of a driveway.
 - (4) No person shall wear cleated shoes in any area, in the Park, where such shoes are not required to be worn for the purpose of the game.
 - (5) No person shall engage in any foot race, or horse race or ride a horse in a Park, except at a place provided by the City for any such particular purpose.
 - (6) No person shall ride a horse in a Park, at the place provided for such purpose,
 - (a) that is not well broken and under complete control;
 - (b) in excess of fifteen kilometres per hour.
16.
 - (1) No person using any skating rink in any Park shall,
 - (a) use long nosed racing skates, unless the skates are protected by toe-guards designed to remain affixed to the skates during use;
 - (b) race or speak so as to endanger or interfere with any other person using the rink;
 - (c) carry a cane or stick of any kind upon the ice except a hockey stick upon rinks provided for the playing of hockey.
 - (2) No person shall operate or ride a toboggan in a Park. By-law 87-155, S.2.

17. (1) No person shall play or bet at or against any game conducted, dealt or carried on with cards, dice or other device except,
 - (a) checkers or chess;
 - (b) with the prior written permission of the City, upon such terms and conditions as the City may specify.
- (2) No person shall maintain or exhibit any gambling table or other instrument of gambling, in a Park.
18. No person shall interfere with the playing of any game by any person in a Park, by
 - (a) making a noise so as to distract the players;
 - (b) making verbal comments contrary to any player's request to cease such comments;
 - (c) in any other way contrary to the proper carrying on of a game by any player in accordance with the rules of the game.
19. (1) No person shall interfere with the play of a minor in any area, in a Park, reserved for such persons.
- (2) No person, in a Park, having care or custody of a minor, or having charge of the minor in a Park, shall permit the minor to unreasonably interfere with the enjoyment of the Park by any other person.
20. (1) Except as provided in subsection 2, no person shall bring any animals or fowl into a Park, except in an area designated for such animal or with the prior written permission of the City, upon such terms and conditions as the City may specify. By-law No. 78-97, S.6., By-law 86-341, S.1.
- (2) Every person who brings a dog into a park shall at all times keep the dog restrained by means of a leash.
- (3) The person referred to in subsection 2 shall immediately and without delay remove any excrement produced by the dog and provide for its sanitary disposition otherwise than on the park premises. By-law 86-341, S.2.
- (4) Notwithstanding subsection 20 (1), no person shall bring an animal into a Park during a Festival Event listed in Schedule "B" and any like Festival Event designated by the committee, unless the animal is part of the program of the Event and for which prior permission has been given. By-law 87-155, S.3.
21. (1) No person shall disturb, molest, injure, wound, attempt to kill, hunt, or trap, or kill any animal or bird in a Park.

- (2) No person shall touch, interfere with, remove, or injure any bird's nest or the eggs, or the young birds therein.
 - (3) No person shall provide or cause to be provided or deposit or leave any food for pigeons or food that may be used by pigeons in a Park listed in Schedule "C". By-law 87-244, S.1.
22. (1) No person shall leave or deposit any paper, bottles, broken glass, cans, rags, garbage, rubbish, debris or refuse of any kind, in a Park, except in a receptacle provided by the City for that purpose.
- (2) No person shall deposit or leave any paint, grease, oil, offal, or any dangerous matter or any matter that has an odour or appearance found to be offensive by users of the Park.
- (3) No person shall scatter any paper, cardboard, or any other material in a Park.
23. No person shall discharge, dump or leave any construction material, earth, dirt, rock or stone or any other materials in a Park, or on or in any land designated as a Park site, or on or in any ravine, slope, or other land accessory to a Park or a Park site, except with the prior written permission of the City, upon such terms and conditions as the City may specify.
24. (1) No person shall bring into a Park, or have in his care or custody or possession, alcoholic beverages while in a Park without the prior approval of the City and only unless the authority of a special occasion permit issued under section 8 of The Liquor Licence Act, 1975. By-law 80-002, S.2.
- (2) Any constable, upon discovery of the alcoholic beverage in a Park, may remove the alcoholic beverage and section 56 of The Liquor Licence Act, 1975 applies with all necessary changes in respect of a contravention of the By-law. By-law No. 78-97, S. 7(2)(3); By-law No. 80-002, S.2.
- (3) Subsections 1 and 2 shall not apply to a mobile home, recreational vehicle, trailer or tent that is designed for use as, and is being used as, a residence, in a section of the Park designated by the City for such use. By-law No. 78-97, S.7(4).
25. No person shall pick, gather or remove worms from a Park, except with the prior written permission of the City, upon such terms and conditions as the City may specify.
26. (1) Any person found in a recreation building in a Park during hours not authorized for the use of such building,
- (a) who fails to account satisfactorily for his or her presence to a police constable; or

- (b) who fails to obey an order of a police constable to leave the Park; or
- (c) being found in a recreation building or in a swimming pool by a constable or any employee of the City,

may be apprehended as a trespasser. By-law No. 78-97, S.8.

- (2) Any person found in a Park between the hours of 11:00 o'clock in the afternoon and 6:00 o'clock in the forenoon,

- (a) who fails to account satisfactorily for his or her presence to a police constable; or
- (b) who fails to obey an order of a police constable to leave the Park,

may be apprehended as a trespasser.

- (3) Subsections 1 and 2 shall not apply where the person has prior written permission of the City, upon such terms and conditions as the City may specify. By-law No. 78-97, S.9.

27. (1) No person shall accost any other person using the Park.

- (2) No person shall annoy other person using a Park by making,

- (a) verbal comments; or
- (b) engaging in physical displays or actions,

contrary to such other person's request to cease.

28. No person shall, in a Park, engage in,

- (a) riotous or boisterous or threatening conduct; or
- (b) abusive, or threatening or profane or loud language.

29. No person shall, in a Park,

- (a) loiter; or
- (b) spy; or
- (c) conduct himself in such a manner,

so as to disturb the peaceful enjoyment of the Park by any other person.

29a. (1) No person shall loiter in a Park after dark.

- (2) The City may erect one or more signs indicating "No Loitering After

Dark".

- (3) For the purpose of this section, "dark" means the partial or total absence of natural light following sunset. By-law 86-334, S.2.

29b. Where a sign is erected, no person shall fail to comply with the prohibition indicated in the sign. By-law 86-334, S.2.

PART II

VEHICLES IN PARKS

30. (1) There shall be erected one or more of the following signs in a Park:
1. Signs displaying the symbol for "No Parking" as specified under The Highway Traffic Act.
 2. Signs displaying the word "Yield", or symbol in lieu thereof, specified under The Highway Traffic Act.
 3. Signs displaying the word "Stop", or a symbol in lieu thereof, specified under The Highway Traffic Act.
 4. Signs displaying the maximum speed limit, specified under the Highway Traffic Act.
 5. Signs displaying the symbol for "No "U" Turns", specified under The Highway Traffic Act.
 6. Signs indicating "One Way Traffic" specified in Part A to schedule 1 of By-law No. 66-100.
 7. Signs indicating lane use designation, specified in Part C of schedule 1 of By-law No. 66-100.
 8. Signs indicating that a roadway or drive is closed to vehicular traffic or to a particular class of vehicular traffic.
 9. Signs indicating a public parking area.
 10. Signs indicating time limit for parking.
 11. Signs indicating service roads.
- (2) The signs referred to in subsection 1 may contain,
- (a) an exception relating to an activity permitted in a particular area;
 - (b) additional information relating to the regulation of traffic.

31. (1) Parking by the public or a class thereof shall not be authorized in a Park except,
 - (a) in a public parking area; or
 - (b) in any other area, with the prior approval of the City.
32. (1) No person shall park a vehicle in a parking area except in the area of the parking space.
 - (2) No person shall park a motor vehicle in a Park where an official sign prohibits parking.
33. No person shall drive or park a commercial motor vehicle without the prior approval of the City.
34. (1) No person shall drive a motor vehicle in a Park except,
 - (a) on a roadway or drive; or
 - (b) with the prior approval of the City, on a service road.
35. No person shall drive a motor vehicle in a Park in excess of 30 kilometres per hour.
36. No person shall drive a motor vehicle,
 - (a) on any grassed area in a Park;
 - (b) on any landscaped area in a Park.
37. No person shall drive a vehicle on any sidewalk, pathway or footpath used by or set apart for the use of pedestrians in a Park.
38. No person shall drive a vehicle on a running track in a Park.
39. No person shall drive a vehicle on a roadway or drive that is closed to vehicular traffic.
40. No person shall drive a vehicle on a two-way roadway except on the right-hand side thereof.
41. No person shall drive a vehicle on a one-way roadway in a direction opposite to the direction of the traffic.
42. No person shall remove, deface or in any manner interfere with any official sign.
43. No person shall fail to comply with the directions or instructions on any official sign.
44. No person shall park a vehicle in a parking space except to visit the

amenities offered by the Park for personal enjoyment.

45. No person shall,

- (a) wash down; or
- (b) clean up or polish the interior or exterior of; or
- (c) perform automotive services or repairs on,
a vehicle parked or stopped in a Park.

46. (1) No person shall use, cause to be used or permit to be used a motor vehicle in a Park or any part thereof, to provide driving instructions.

(2) No person shall receive driving instructions in a motor vehicle in a Park.

47. (1) No person shall operate a bicycle in a Park except,

- (a) on a roadway or drive; or
- (b) on a parking area.

(2) No person shall operate a bicycle in a Park,

- (a) on a service road; or
- (b) in or adjacent to any entrance or exit area in a Park; or
- (c) on a pedestrian pathway; or
- (d) on any grassed area in a Park; or
- (e) on any area surrounding ornamental flower beds.

48. (1) Except as provided in subsection 2, no person shall operate a bicycle in a Park unless the bicycle is equipped with an alarm bell so arranged that it is under the complete control of the rider and is capable of being distinctly heard at a distance of not less than 20 metres.

(2) The person operating a bicycle shall sound the bell whenever it is reasonably necessary to notify pedestrians or vehicles of its approach.

(3) No person shall equip the bicycle with one or more of the following:

- 1. A large gong bell or a bell that rings continuously for any period of time.

2. A siren or horn or a device producing a sound which so nearly resembles that produced by a siren or horn as to deceive and confuse.
- (4) No person shall operate a bicycle in a Park after dark unless,
 - (a) the bicycle carried on the front thereof a lighted lamp displaying a white or amber light and on the rear thereof,
 - (i) a light lamp displaying a red light; or
 - (ii) a large reflector,clearly discernable from a distance of 30 metres.
49. (1) No person shall operate a bicycle by riding the bicycle side-by-side along with two or more bicycles that are being ridden side-by-side.
- (2) No person shall ride crosswise and curbing to and fro in a Park.
- (3) No person shall ride a bicycle on the grass in a Park.
- (4) No person shall ride a bicycle in an area provided by the City for any game or activity or specified use, in a Park.
- (5) No person shall operate a bicycle in a Park with his hands off the handlebars.
- (6) No person shall carry an infant or a child under 12 years of age on a bicycle in a Park, in any manner whatsoever.
50. (1) Every person to whom this by-law applies, shall comply with every direction of a police constable or by-law enforcement officer, to immediately cease any action prohibited.
- (2) Where the person does not immediately cease the action prohibited, the person shall immediately depart from the Park.
- (3) Where the person does not immediately depart from the Park, he may be ejected from the land comprising the whole of the Park, by a police constable.
51. Repealed. By-law No. 78-97, S.10.
52. Repealed. By-law No. 78-97, S.10.
53. Every person who contravenes any provision of this by-law is guilty of an offense and is liable to a fine of not more than \$2,000.00 exclusive of costs. By-law No. 81-218, S.11.
54. (1) A police constable or by-law enforcement officer observing a vehicle alleged to be parked;

(a) at a parking space for a period of time longer than the period of time permitted; or

(b) at any location where parking is prohibited,

may attach a serially numbered tag to the motor vehicle.

(2) Any person upon presentation of the tag may, within 7 days pay a penalty out of court in the amount of:

(a) not less than \$6.00 in the case of a vehicle parked longer than the period of time permitted; or

(b) not less than \$13.00 in the case of a vehicle parked where parking is prohibited.

55. The following are repealed:

1. By-law No. 6726, passed on the 8th day of May, 1951;

2. By-law No. 10796, passed on the 27th day of July, 1965;

3. By-law No. 75-152, passed on the 27th day of May, 1975, as amended by By-law No. 76-237, passed on the 31st day of August, 1976;

4. By-law No. 75-220, passed on the 30th day of July, 1975, as amended by By-law No. 76-249, passed on the 14th day of September, 1976.

56. This by-law may be cited as "The Parks By-law".

57. Every reference to By-law 77-221 shall be a reference to this By-law.

58. The Parks By-law No. 77-221 passed on the 30th day of August 1977, and all subsequent amendments are hereby repealed on the date of the passing and enactment of this By-law.

PASSED this

day of

A.D. 1989.

City Clerk

Mayor

SCHEDULE "A"

To By-law No. 82-180

1. Dundurn Park
2. Harvey Park

SCHEDULE "B"

To By-law No. 77-221

[Section 20(4)]

FESTIVAL EVENTS

1. Festival of Friends.
2. May 21st Celebrations.
3. July 1st Celebrations.
4. Senior's Carousel.
5. Summer Concert Series.
6. Victoria Day Celebrations.
7. Winterfest.
8. Waterfront Celebrations.
9. Your Festival.

SCHEDULE "C"

[Section 21(3)]

1. Gore Park.

The Corporation of the City of Hamilton

PARKING OF MOTOR VEHICLES ON

PRIVATE PROPERTY AND MUNICIPAL PROPERTY

By-law No.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (a) "by-law enforcement officer" means an officer of the City appointed for carrying out the provisions of this by-law;
- (b) "City" means the City of Hamilton;
- (c) "class 1 private property" means property occupied by a one-family dwelling, two-family dwelling or three-family dwelling;
- (d) "class 2 private property" means property other than class 1 and class 3 private property and includes property occupied by vacant buildings or structures and vacant land; By-law No. 77-226, S.1; By-law No. 77-282, S.1.
- (e) "class 3 private property" means property of The Regional Municipality of Hamilton-Wentworth or a local board thereof; By-law No. 77-282, S.3.
- (f) "constable" means a police constable who is a member of the Hamilton-Wentworth Regional Police Force and a special constable;
- (g) "local board" means a local board within the meaning of the Ontario Municipal Board Act;
- (h) "occupant" means a tenant who leases a residential, commercial or other property from the owner, where the lease may include a specific parking space or area;
- (i) "owner" means,
 - (i) a registered owner of any premises; or
 - (ii) a building manager, superintendent, caretaker, or other authorized agent or representative, when designated in writing by the property owner; or
 - (iii) the Board of Directors of a condominium corporation as defined by The Condominium Act;
- (j) "park" or "parking" when prohibited, means the halting of a vehicle, when even momentarily, whether or not the vehicle is occupied;

- (k) "suitable sign" means a sign for which the size, shape, colour, content, mounting position and location are approved by the Director of Traffic Services, and includes previously approved signs erected under the authority of former By-law 75-155.
 - (l) "condominium owner" means the registered owner of a condominium unit. By-law No. 77-221, S.2,3,4,; By-law No. 77-282, S.1; By-law No. 86-81, S.1,2.
2. (1) Except as provided in subsection 2, no person shall park a motor vehicle on class 1 or class 2 private property without the authority of the owner.
- (1a) Except as provided in subsection 2, no person shall park a motor vehicle on class 1 or class 2 private property without the authority of the owner, and in any case not in a parking space signed for use by vehicles used for transporting physically handicapped persons unless there is clearly displayed on the driver's side and visible from external view an identifying marker issued by the Commissioner of Social Services for the Regional Municipality of Hamilton-Wentworth.
- (2) Where class 1 or class 2 private property or a specific parking space or an area is designated for exclusive use by an occupant or a condominium owner, no person shall park a motor vehicle on the private property without authority of the occupant or the condominium owner. By-law No. 86-81, S.3.
3. No person shall park a motor vehicle on,
- (a) property of the City of a local board thereof;
 - (b) class 3 private property,
- where parking by the public is not authorized. By-law No. 77-226, S.6; By-law No. 77-282, S.4.
4. Where a driver of a motor vehicle, not being the owner, parks the motor vehicle contrary to section 2 or to section 3 and is liable to a penalty, the owner of the motor vehicle is also liable to such penalty unless at the time the offence was committed, the motor vehicle was in possession of a person other than the owner or his chauffeur without the owner's consent. By-law No. 77-226 S.7.
5. (1) A constable or by-law enforcement officer, upon written compliant pursuant to section 6, that a motor vehicle is parked,
- (a) on class 1 private property; or
 - (b) where a suitable sign has been erected on class 2 private property,

may cause the vehicle to be removed and impounded.

(2) A constable or by-law enforcement officer, upon discovery of a motor vehicle parked,

(a) on property of the City or any local board thereof;

(b) on class 3 private property,

may cause the vehicle to be removed and impounded. By-law No. 77-226, S.8; By-law No. 77-282, S.5.

6. The driver or owner of a motor vehicle parked on class 1 or class 2 private property is not liable,

(a) to have the motor vehicle removed from such property or impounded; or

(b) to have attached to the motor vehicle a serially numbered tag,

except upon written compliant of the owner or occupant of the property. By-law No. 77-226, S.9; By-law No. 77-282, S.6.

6a. Notwithstanding section 6, no written individual compliant shall be required for each vehicle parking on class 2 property where the owner or occupant provides the chief constable or the chief by-law enforcement officer with a general written compliant applicable to,

(a) a vehicle parking on class 2 private property of the owner or occupant that is a vacant lot a partially vacant lot; or

(b) a vehicle parked on class 2 private property in a parking space signed for use by vehicles used for transporting physically handicapped persons, not clearly displaying on the sun visor on the driver's side and visible from external view an identifying marker issued by the Commissioner of Social Services for The Regional Municipality of Hamilton-Wentworth to a physically handicapped person who is driving or being transported in the vehicle. By-law No. 83-179, S.1.

7. All costs and charges for removing, care and storage of the vehicle, if any, are a lien upon the vehicle which may be enforced in the manner provided by section 48 of The Mechanics' Lien Act.

8. Where a vehicle is removed and impounded under section 5, the owner of the vehicle shall pay the expense of the removal and impounding of the vehicle. By-law No. 75-155, S.1, By-law No. 77-226, S.10.

9. Every person who contravenes any provision of this by-law, is guilty of an offence and is liable to a fine of not more than \$2,000.00 exclusive of costs.
- 9a. The owner of a vehicle that is parked, stopped or left standing in contravention of this by-law is guilty of an offence and is liable to a fine of not more than \$2,000.00, exclusive of costs, unless the owner proves to the satisfaction of the court that at the time of the offence the motor vehicle was in the possession of another person without the owner's consent, express or implied. By-law No. 81-123, S.1; By-law No. 81-218, S.8.
10. A constable or by-law enforcement officer observing a vehicle alleged to be parked on,
- (a) class 1 private property contrary to section 2; or
 - (b) class 2 private property contrary to section 2 on which a suitable sign has been erected; or
 - (c) the property of the City or a local board thereof contrary to section 3; or
 - (d) class 3 private property contrary to section 3,
- may attach a serially numbered tag to the motor vehicle. By-law No. 77-226, S.11; By-law No. 77-282, S.11.
11. Any person upon presentation of the tag may, within 7 days pay a penalty out of court in the amount of not less than \$13.00 in respect of a parked vehicle, except that in the case of a vehicle parked illegally in a parking space signed for use by vehicles used for transporting physically handicapped persons the penalty shall be an amount not less than \$50.00. By-law No. 77-226, S.12; By-law No. 79-239, S.1; By-law No. 84-131, S.2; By-law No. 86-166, S.1.
12. Every reference to By-law 75-155 shall be a reference to this By-law.
13. By-law No. 75-155 (Parking of Motor Vehicles on Private Property and Municipal Property) passed on the 27th day of May 1975, and all subsequent amendments are hereby repealed on the date of the passing and enactment of this By-law.

PASSED this

day of

A.D. 1989.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Local Improvement By-law No. 10605

Respecting:

REVISED COSTS TO THE CORPORATION
FOR THE INSTALLATION OF LOCAL IMPROVEMENTS

WHEREAS By-law No. 10605, passed on the 15th day of December, 1964, as amended by By-laws Nos. 67-150, 73-72, 80-127, 80-156, 82-40, 83-75, 84-41, 85-70, and 86-78, provides for the undertaking of local improvements in accordance with the Local Improvement Act;

AND WHEREAS subsection 4a of section 13 of said By-law No. 10605, as amended, provides for the local improvement rates to be charged against abutting lands for work done under the Local Improvement Act;

AND WHEREAS By-law No. 88-096, passed on the 26th day of April, 1988 repealed subsection 4a of section 13 to By-law No. 10605, as amended by By-laws No. 67-150, 73-72, 80-127, 80-156, 82-40, 83-75, 84-41, 85-70 and 86-78, and re-enacted a new subsection 4a to section 13 to provide for increased maximum local improvement rates, chargeable on a per metre frontage basis against abutting lands for work done under the Local Improvement Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 27 of the 2nd Report of the Transport and Environment Committee at its meeting held on the 31st day of January 1989, directed that the maximum local improvement charges per metre of frontage be increased as hereinafter provided.

NOW THEREFORE the Council of The Corporation of The City of Hamilton enacts as follows:

1. Subsection 4a of section 13 of By-law No. 10605, as re-enacted by By-law No. 88-096, is repealed and the following substituted therefor:

(4a) The chargeable amount per metre frontage referred to in clause (a) of subsection 4 shall be as follows:

1. For curbs only at the rate of \$64.00 per metre frontage.
2. For sidewalks only at the rate of \$80.00 per metre frontage.
3. For sidewalks and independent curbs or combined sidewalks and curbs, at the rate of \$131.00 per metre frontage.

4. For roadway only, at the rate of \$221.00 per metre frontage.
5. For alleys, at the rate of \$86.00 per metre frontage.
6. For roadway and curbs only in industrial subdivisions, at the rate of \$300.00 per metre frontage.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1989) 2 R.T.E.C. 27, January 31

BY-LAW NO. 89 -

TO AMEND BY-LAW NO. 66-100 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 23 (Hamilton Street Railway Bus Stops) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by deleting therefrom the following item, namely:-

"Kingfisher at Curlew (F/S)".

and by adding thereto the following item, namely:-

"Kingfisher at Limeridge".

2. Schedule 25 (Parking Time Limits) is hereby amended by adding to Section 5 (One Hour Limit) the following item, namely:-

"Sanders	- North	Daleview to a point 77 feet west of Binkley."
----------	---------	---

and by deleting therefrom the following item, namely:-

"Sanders	North	Daleview to Binkley".
----------	-------	-----------------------

3. Schedule 25B (Parking Time Limits) is hereby amended by adding to Section 4 (One Hour Limit) the following item, namely:-

"Emerald	Both	King to Main".
----------	------	----------------

4. Schedule 34 (Sticker Permit Parking) is hereby amended by adding thereto the following items, namely:-

"Peter	North	Locke to Pearl	Anytime
Crestwood (north leg)	South	commencing 142 feet east of David to a point 40 feet easterly therefrom	Anytime
Dundurn	West	commencing 86 feet north of Glenside to a point 21 feet northerly therefrom.	Anytime".

PASSED THIS DAY OF , A.D. 198 .

CITY CLERK

MAYOR

BY-LAW NO. 89 -

TO AMEND BY-LAW NO. 66-100 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966, is hereby amended by adding thereto the following items, namely:-

"Barton (north leg)
Boston (south leg)

Eastbound
Eastbound

Birchcliffe
Birchcliffe".

PASSED THIS

DAY OF

, A.D. 198 .

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT PART OF MUNICIPAL NO. 101 DARTNALL ROAD

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-13" (Prestige Industrial) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 17E(1)(d) of By-law No. 6593, the following INDUSTRIAL USES shall be permitted:

	<u>Identification Number</u>	<u>Industrial Use</u>
1.	2542	Wooden Kitchen Cabinet and Bathroom Vanity
2.	2543	Wooden Doors and Windows
3.	2549	Other Millwork

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-13" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1101.

4. Sheet No. E-69D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1101.

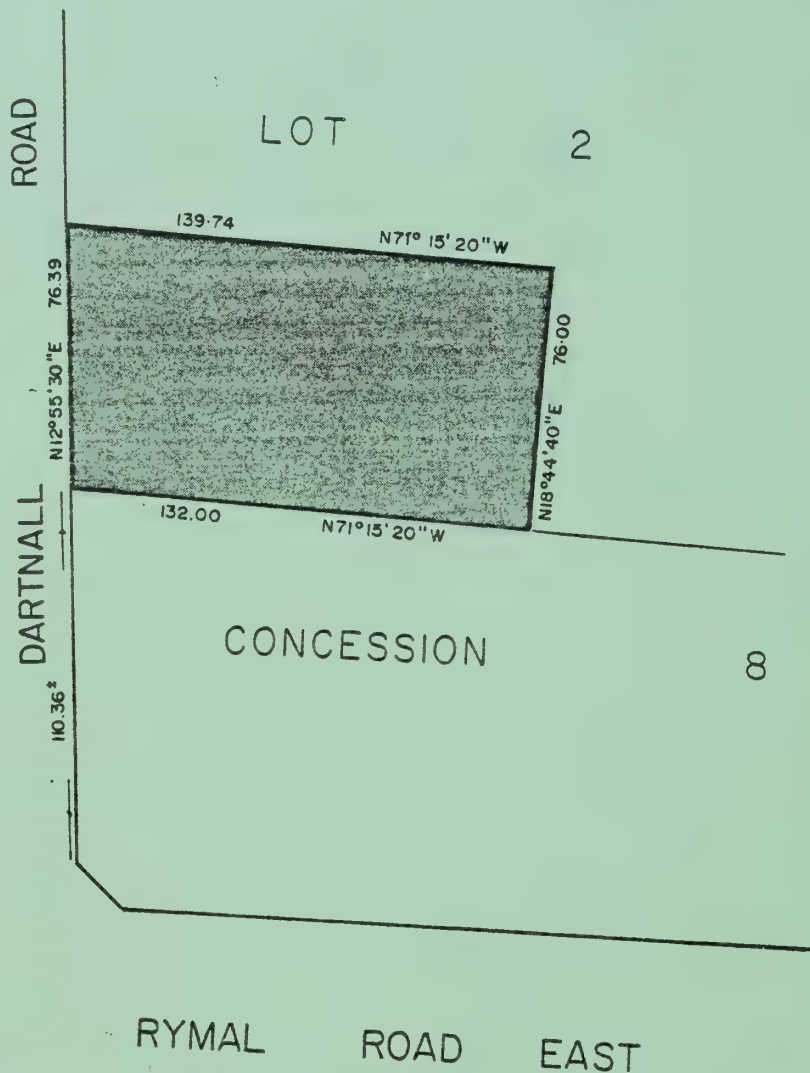
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1988) 22 R.P.D.C. 14(B), November 8
Glanbrook Stairs and Woodworking Ltd., Owner
Amended ZA-88-58



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 89-.....
Passed the day of, 1989.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 89-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 89-.....

North



Scale
NOT TO SCALE

Date
FEB., 1989

Reference File No.
ZA 88 - 58

Drawn By
R.J.M.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

As Amended By:

Zoning By-law No. 81-344

Respecting:

LAND LOCATED TO THE NORTH OF
MUNICIPAL NO. 395 CENTENNIAL PARKWAY NORTH

WHEREAS By-law No. 81-344, passed on the 8th day of December, 1981 and approved by the Ontario Municipal Board on the 17th day of February 1982, (File No. R 820212), amended Zoning By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821), to change the zoning from "KK" (Restricted Heavy Industrial) District to "HH" (Restricted Community Shopping and Commercial) District and to establish special requirements with respect to the land located at Municipal Nos. 395 and 397 Centennial Parkway North;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 10 of the 4th Report of the Planning and Development Committee at its meeting held on the 31st day of January 1989 directed that Zoning By-law No. 6593, as amended by By-law No. 81-344, be further amended to change the zoning of the above-captioned lands as hereinafter provided, and to regulate the use thereof in accordance with By-law No. 81-344;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-102 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "KK" (Restricted Heavy Industrial) District to "HH" (Restricted Community Shopping and Commercial) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (1) Schedule "A" annexed to By-law No. 81-344 is hereby amended by adding thereto the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law.

(2) In all other respects, By-law No. 81-344 is hereby confirmed, unchanged.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-772a.

4. Sheet No. E-102 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-772a.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

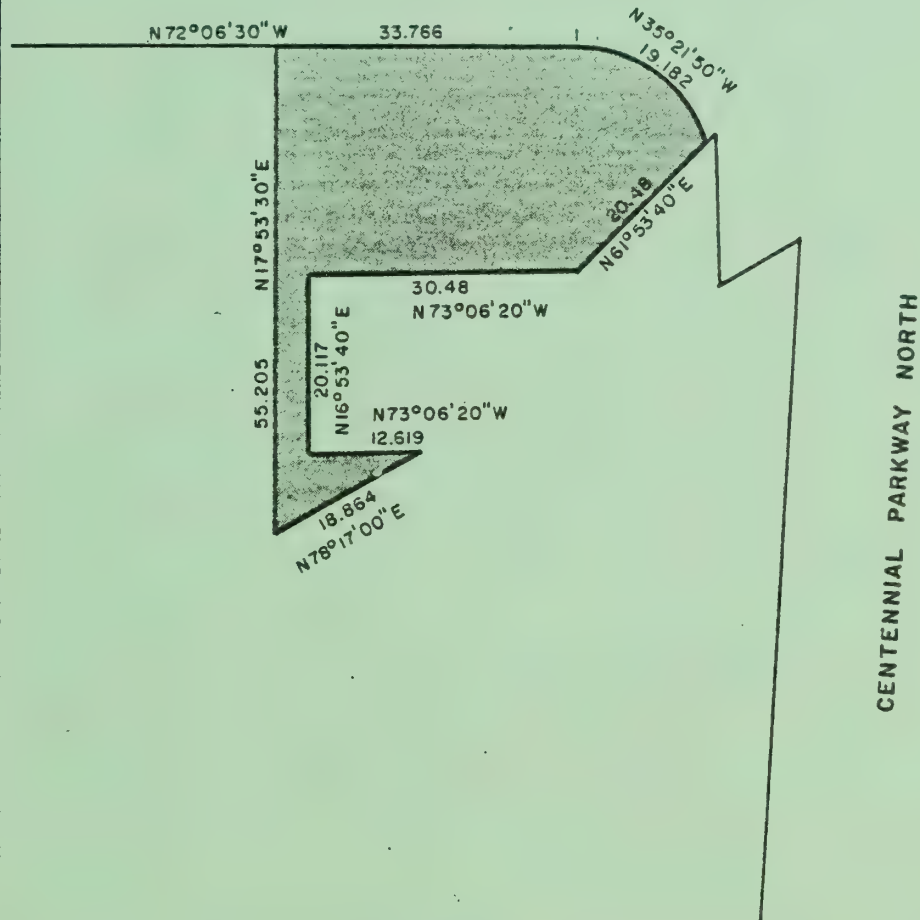
PASSED this day of A.D. 1989.

City Clerk

Mayor

(1989) 4 R.P.D.C. 10, January 31
Walter and Mary Matesa, Owners
Amended ZA-88-103

GODERICH ROAD



NOTE: ALL DIMENSIONS
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 89-
PASSED THE _____ DAY OF _____


Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 89-
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

 CHANGE IN ZONING FROM "KK" (RE-
STRICTED HEAVY INDUSTRIAL) DISTRICT,
MODIFIED TO "HH" (RESTRICTED COMMU-
NITY SHOPPING AND COMMERCIAL)
DISTRICT, MODIFIED.

North



Scale
NOT TO SCALE

Date
JAN. 19, 1989

Reference File No.
ZA 88-103

Drawn By
Z. K.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE REAR OF
MUNICIPAL NOS. 1500, 1514, AND 1522 UPPER OTTAWA STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. — Sheet No. E-49D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District, the land comprised in Block 1;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

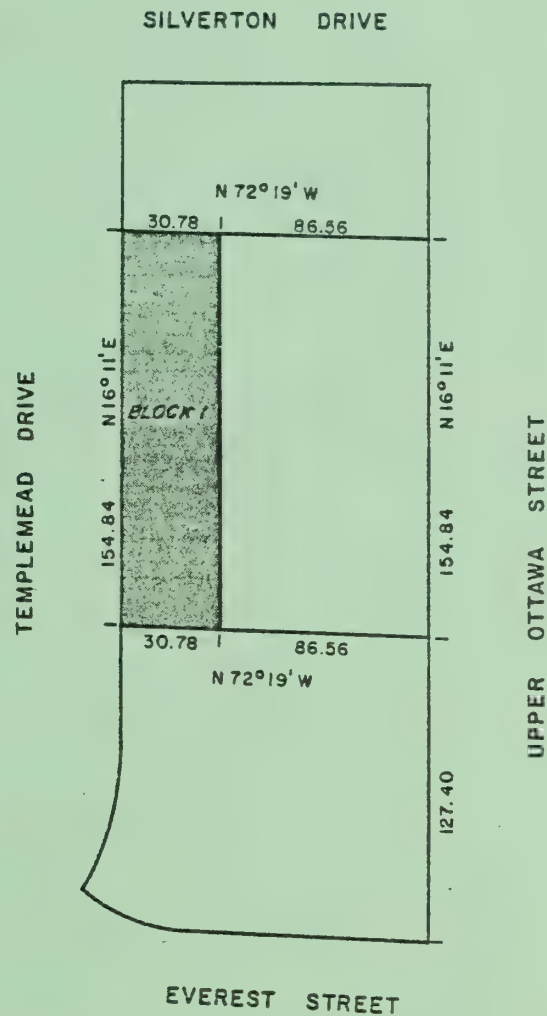
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1988) 1 R.P.D.C. 10, December 13
(Amended resolution approved by
City Council on 10 January 1989)
Mr. L. W. Bertrand, Mr. R. Gallagher
and Mr. J. Ferguson, Owners
ZA-88-80



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 89-.....
Passed the day of, 1989.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 89-.....

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from "AA" (Agricultural) District to:

Block 1

"R-4" (Single-Lot Single-Family Detached)
District.

North



Scale
NOT TO SCALE

Reference File No.
ZA 88-80

Date
December 1988

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 60 DALHOUSIE AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-43 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District to "G-3" - 'H' (Public Parking Lots) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. Upon submission by the applicant of a site plan of the proposed parking lot acceptable to the Planning and Development Committee, the 'H' symbol shall be removed by amendment to this by-law and the development of the lands may proceed in accordance with the "G-3" District provisions.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

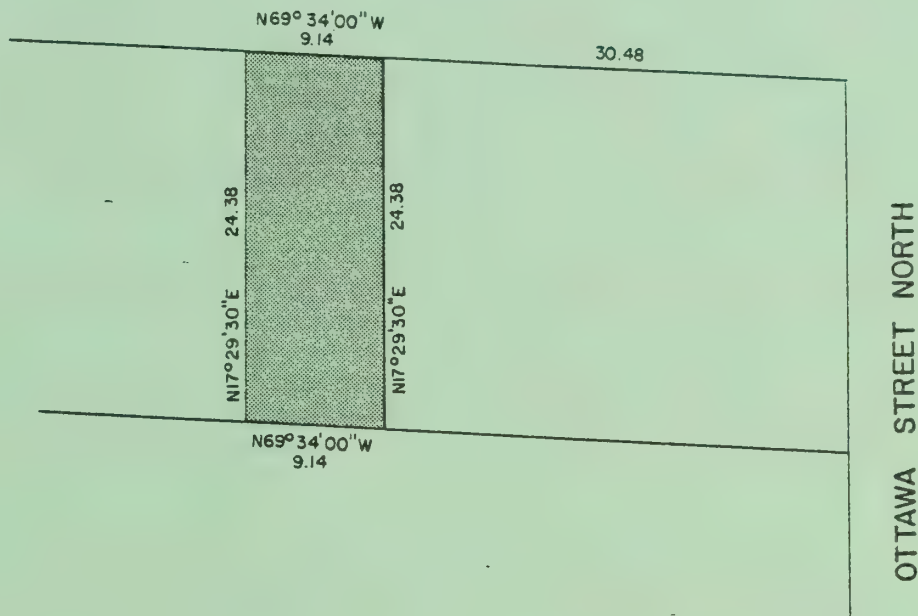
PASSED this day of A.D. 1989.

City Clerk

Mayor

(1988) 22 R.P.D.C. 9(B), November 8
Jong Ku Lee and Hye Soon Lee, Owners
Amended ZA-88-72

DALHOUSIE AVENUE



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No.
Passed the day of, 1987.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No.

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "G-3"- "H" (Public Parking Lots) District

North



Scale
NOT TO SCALE

Date
November 1988

Reference File No.
ZA 88-72

Drawn By
A. P.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 130, 132, 134 AND 136 YOUNG STREET

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E-3" (High Density Multiple Dwellings) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 11C.(1)(i) of By-law No. 6593, the following uses shall be permitted:
 - (i) medical offices,
 - (ii) 3 dwelling units;
- (b) notwithstanding Section 11C.(2)(b) of By-law No. 6593,
 - (i) a side yard of not less than 1.6 m in width shall be provided and maintained along the westerly lot line, and
 - (ii) a side yard of not less than 1.38 m in width shall be provided and maintained along the southerly lot line;
- (c) notwithstanding Section 11C.(5) of By-law No. 6593, a landscaped area of not less than 16% of the area of the lot on which it is situate shall be provided and maintained;
- (d) notwithstanding Section 18A.(1)(a) of By-law No. 6593, there shall be provided and maintained not less than 8 parking spaces;
- (e) Sections 18A.(11), (12) and (26) of By-law No. 6593 shall not apply;

- (f) Section 18A.(9) of By-law No. 6593 shall not apply to 2 parking spaces to be located in the westerly side yard;
- (g) notwithstanding Section 18A.(1)(f) of By-law No. 6593, manoeuvring space having an aisle width of not less than 5.3 m shall be provided and maintained for the easterly parking area.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-3" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1104.

4. Sheet No. E-5 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1104.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

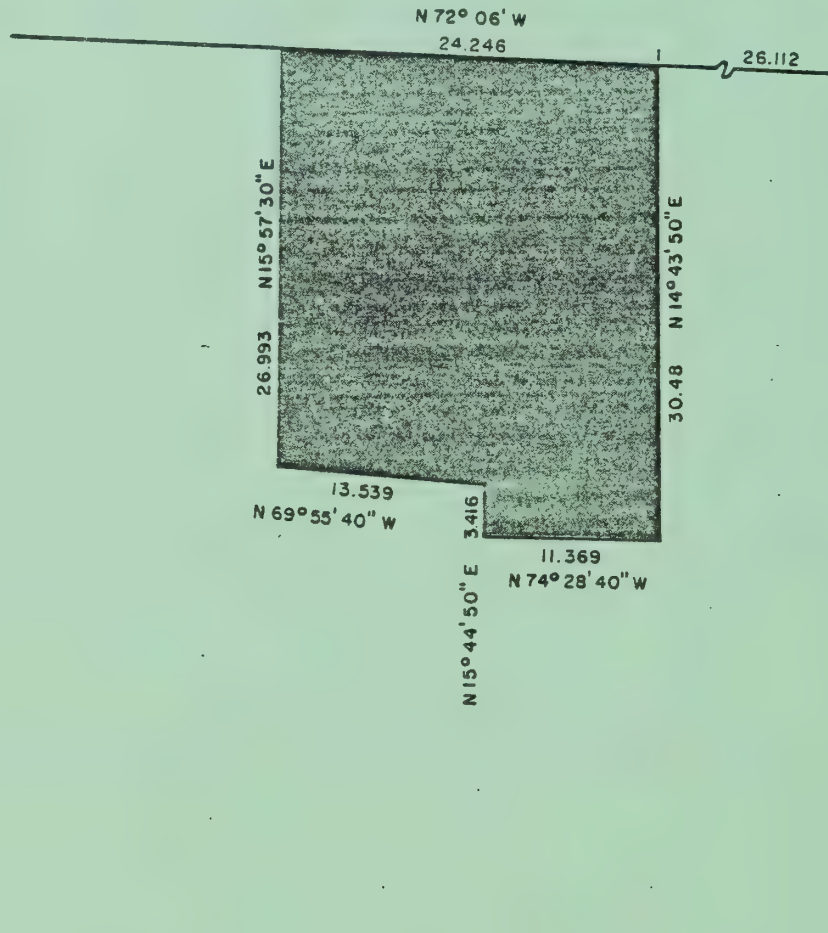
PASSED this day of A.D. 1989.

City Clerk

Mayor

(1988) 1 R.P.D.C. 13, December 13
Karen and Frank Murphy, Owners
ZA-88-78

YOUNG STREET



WALNUT STREET SOUTH

NOTE: ALL DIMENSIONS
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 89-
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON
SCHEDULE "A"
MAP FORMING PART OF
BY-LAW NO. 89-
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



LANDS TO BE REGULATED
BY BY-LAW NO.

North



Scale
NOT TO SCALE

Date
DEC. 20, 1988

Reference File No.
ZA 88-78

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

As Amended by By-law No. 87-306

Respecting:

ADULT ENTERTAINMENT PARLOURS LOCATED AT
MUNICIPAL NOS. 92 BARTON STREET EAST, 1038 BARTON STREET EAST,
229 KENILWORTH AVENUE NORTH, 150 CENTENNIAL PARKWAY NORTH,
1545 UPPER JAMES STREET, 95 KING STREET EAST
AND 54 KING STREET EAST

WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 87-306 on the 10th day of November 1987 to amend Zoning By-law No. 6593 to provide for and regulate Adult Entertainment Parlours as a class of use;

AND WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821), as amended by said By-law No. 87-306, in respect of the lands hereinafter referred to;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) The "L-mr-2" (Planned Development - Multiple Residential) District provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" (Block 1); and
- (2) The "H" (Community Shopping and Commercial, etc.) District provisions applicable to the lands, the extent and boundaries of which are shown on plans hereto annexed as Schedules "A" (Block 2), "A1" and "A2"; and
- (3) The "HH" (Restricted Community Shopping and Commercial) District provisions applicable to the land, the extent and boundaries of which are shown on plans hereto annexed as Schedules "A3" and "A4"; and
- (4) The "I" (Central Business District, etc.) District provisions applicable to the land, the extent and boundaries of which are shown on plans hereto annexed as Schedules "A5" and "A6",

are each amended to the extent only of the special requirements that,

- (a) as to the "L-mr-2" District provisions, subsection 17B(1)(i) of By-law No. 6593 shall not apply to the adult entertainment parlour existing on the day of the passing of this by-law;
- (b) as to the "H" District provisions, subsection 14(1) of By-law No. 6593 shall not apply to the adult entertainment parlour existing on the day of the passing of this by-law;
- (c) as to the "HH" District provisions, subsection 14A(6) of By-law No. 6593, as enacted by subsection 2(3) of By-law No. 87-306, shall not apply to the adult entertainment parlour existing on the day of the passing of this by-law;
- (d) as to the "I" District provisions, subsection 15(8) of By-law No. 6593 as enacted by subsection 3(2) of By-law No. 87-306, shall not apply to the adult entertainment parlour existing on the day of the passing of this by-law.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "L-mr-2", "H", "HH", and "I" Districts provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1058.

4. Sheets No. E-3, E-43, E-53, E-114, E-9D and E-4 of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1058.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1987) 19 R.P.D.C. 18(a)(ii), October 13
City Initiative 87-J



THIS IS SCHEDULE "A" TO BY-LAW NO. 8
PASSED THE _____ DAY OF _____

Clark

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF
BY-LAW NO. 8

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



LANDS TO BE REGULATED BY
BY-LAW NO. 8

BLOCKS
1 & 2

North



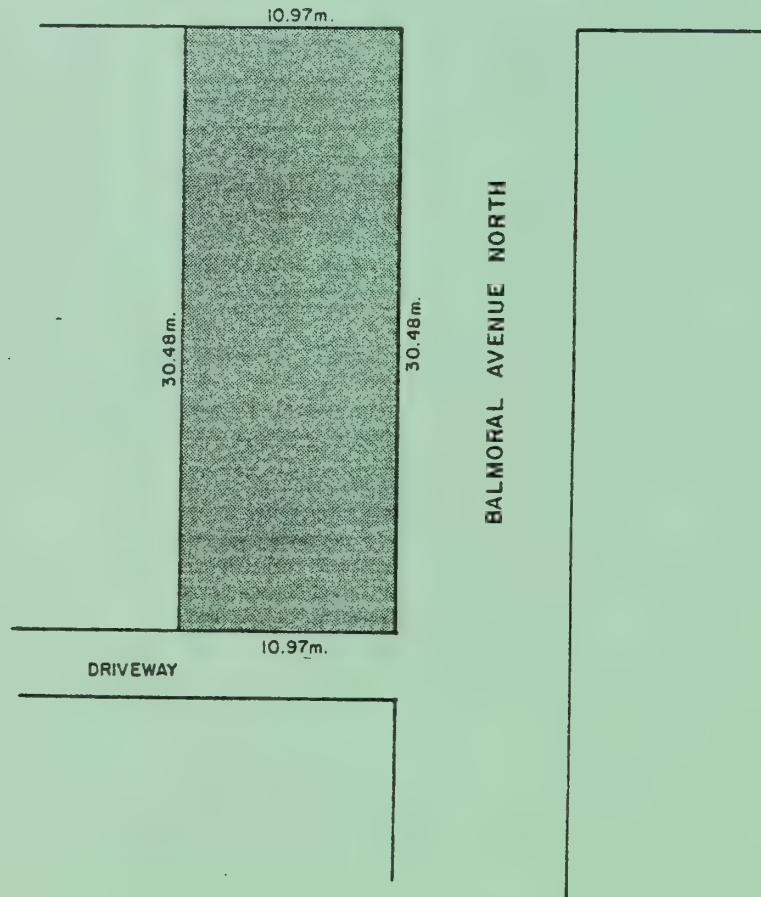
Scale
NOT TO SCALE

Date
NOV, 1987

Reference File No.
C.I. 87-J

Drawing No.

BARTON STREET EAST



THIS IS SCHEDULE "A1" TO BY-LAW NO. 8 _____
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON


SCHEDULE "A1"

MAP FORMING PART OF
BY-LAW NO. 8

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

 LANDS TO BE REGULATED BY
BY-LAW NO. 8

North

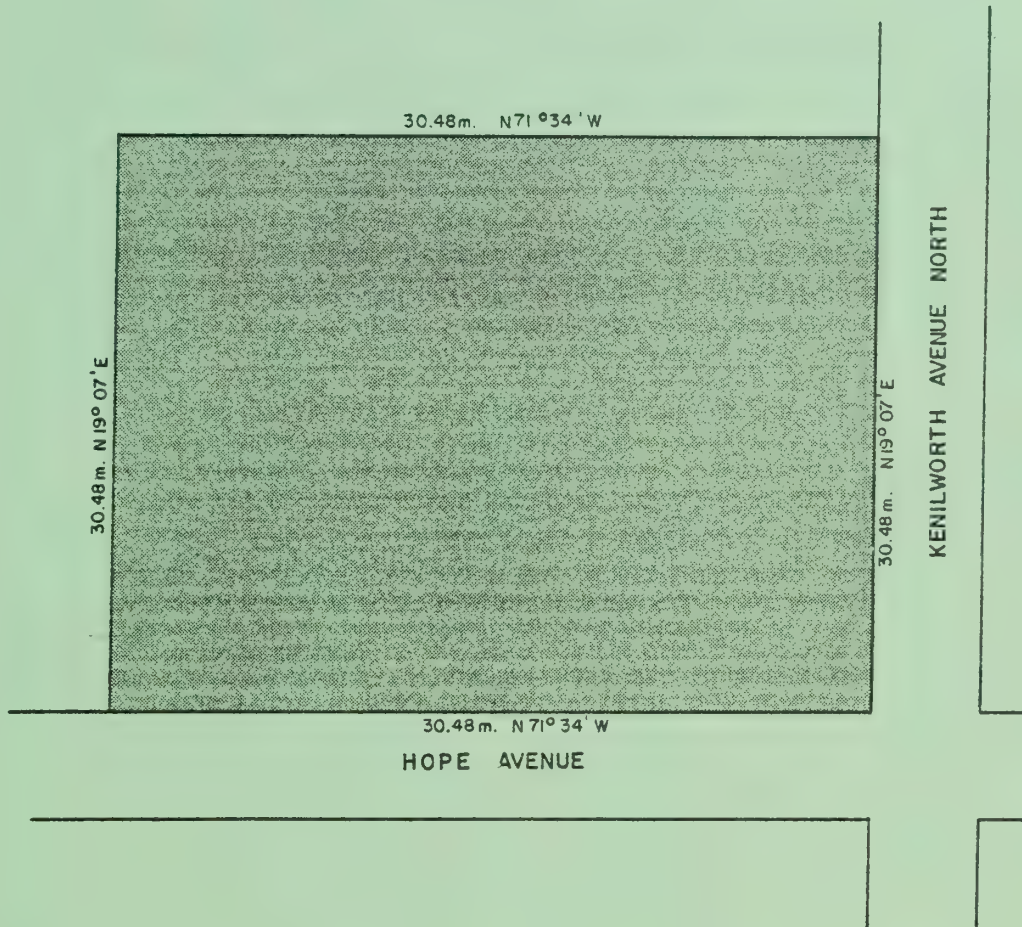


Scale
NOT TO SCALE

Reference File No.
C.I. 87-J

Date
NOV., 1987

Drawing No.



THIS IS SCHEDULE "A2" TO BY-LAW NO. 8
 PASSED THE _____ DAY OF _____

 Clerk

 Mayor


CITY OF HAMILTON

SCHEDULE "A2"
 MAP FORMING PART OF
 BY-LAW NO. 8

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

 LANDS TO BE REGULATED BY
 BY-LAW NO. 8

North

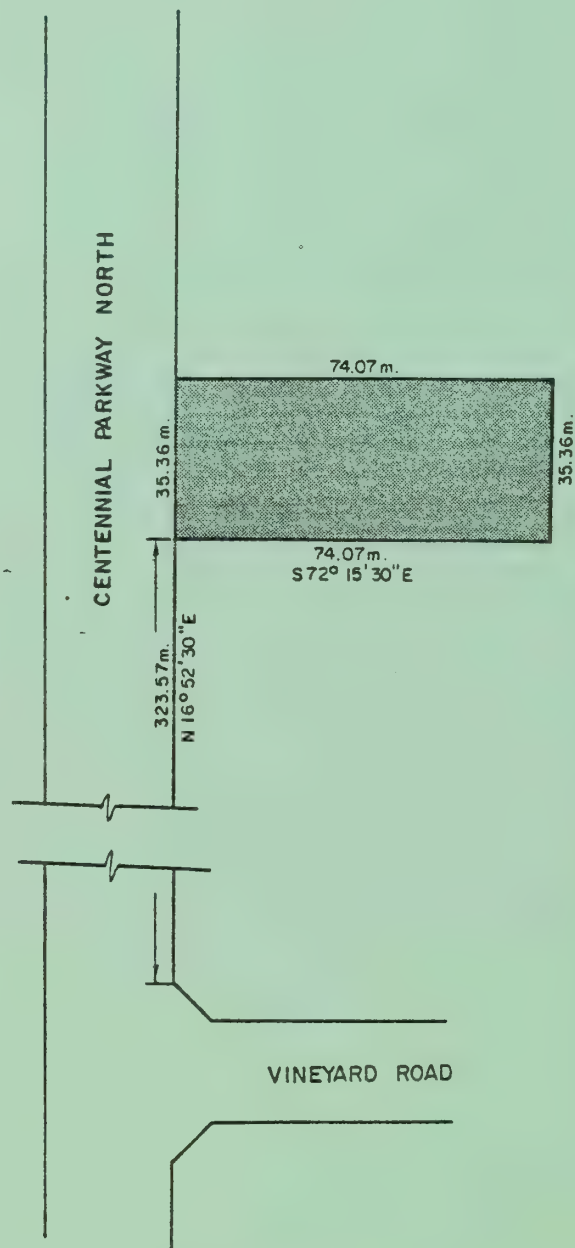


Scale
 NOT TO SCALE

Date
 NOV, 1987

Reference File No.
 C.I. 87-J

Drawing No.



THIS IS SCHEDULE "A3" TO BY-LAW NO. 8 _____
 PASSED THE _____ DAY OF _____

 Clerk

 Mayor


CITY OF HAMILTON


SCHEDULE "A3"
 MAP FORMING PART OF
 BY-LAW NO. 8

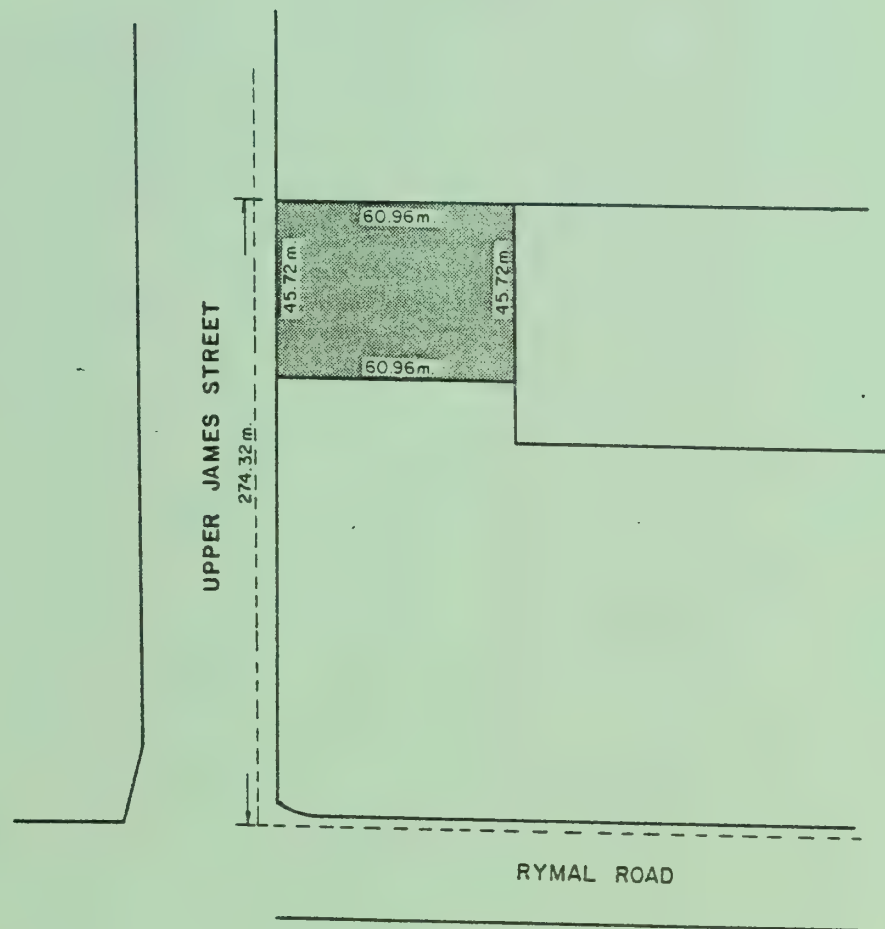
TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend

 LANDS TO BE REGULATED BY
 BY-LAW NO. 8

North 	Scale NOT TO SCALE	Reference File No. C.I. 87-J
	Date NOV., 1987	Drawing No.



THIS IS SCHEDULE "A4" TO BY-LAW NO. 8 _____
 PASSED THE _____ DAY OF _____

 Clerk

 Mayor

CITY OF HAMILTON

SCHEDULE "A4"

MAP FORMING PART OF
 BY-LAW NO. 8

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend



LANDS TO BE REGULATED BY
 BY-LAW NO. 8

North

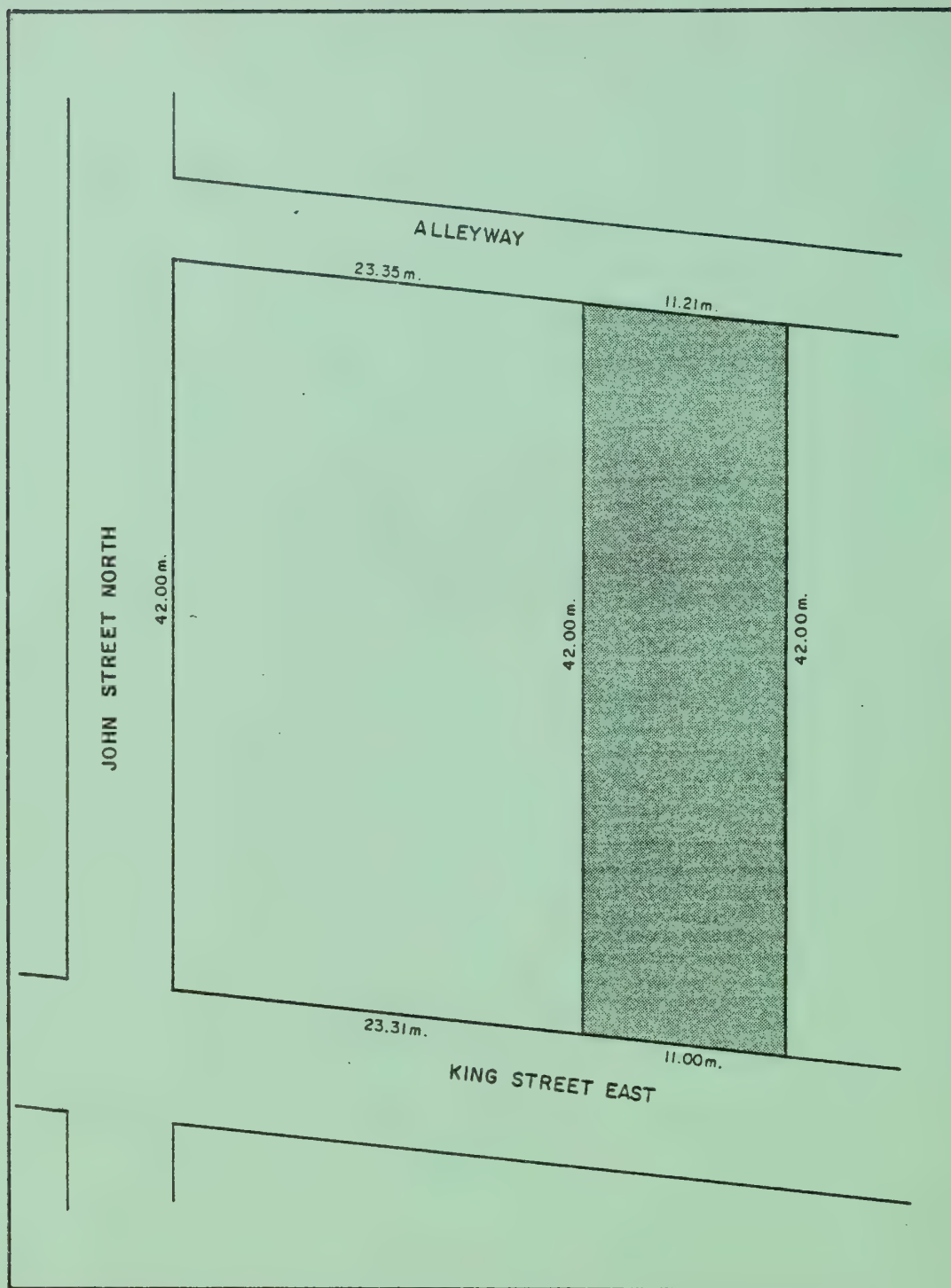


Scale
 NOT TO SCALE

Date
 NOV, 1987

Reference File No.
 C. I. 87 - J

Drawing No.



THIS IS SCHEDULE "A5" TO BY-LAW NO. 8 _____
 PASSED THE _____ DAY OF _____

 Clerk

 Mayor

CITY OF HAMILTON

SCHEDULE "A5"

MAP FORMING PART OF

BY-LAW NO. 8

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend



LANDS TO BE REGULATED BY
 BY-LAW NO. 8

North

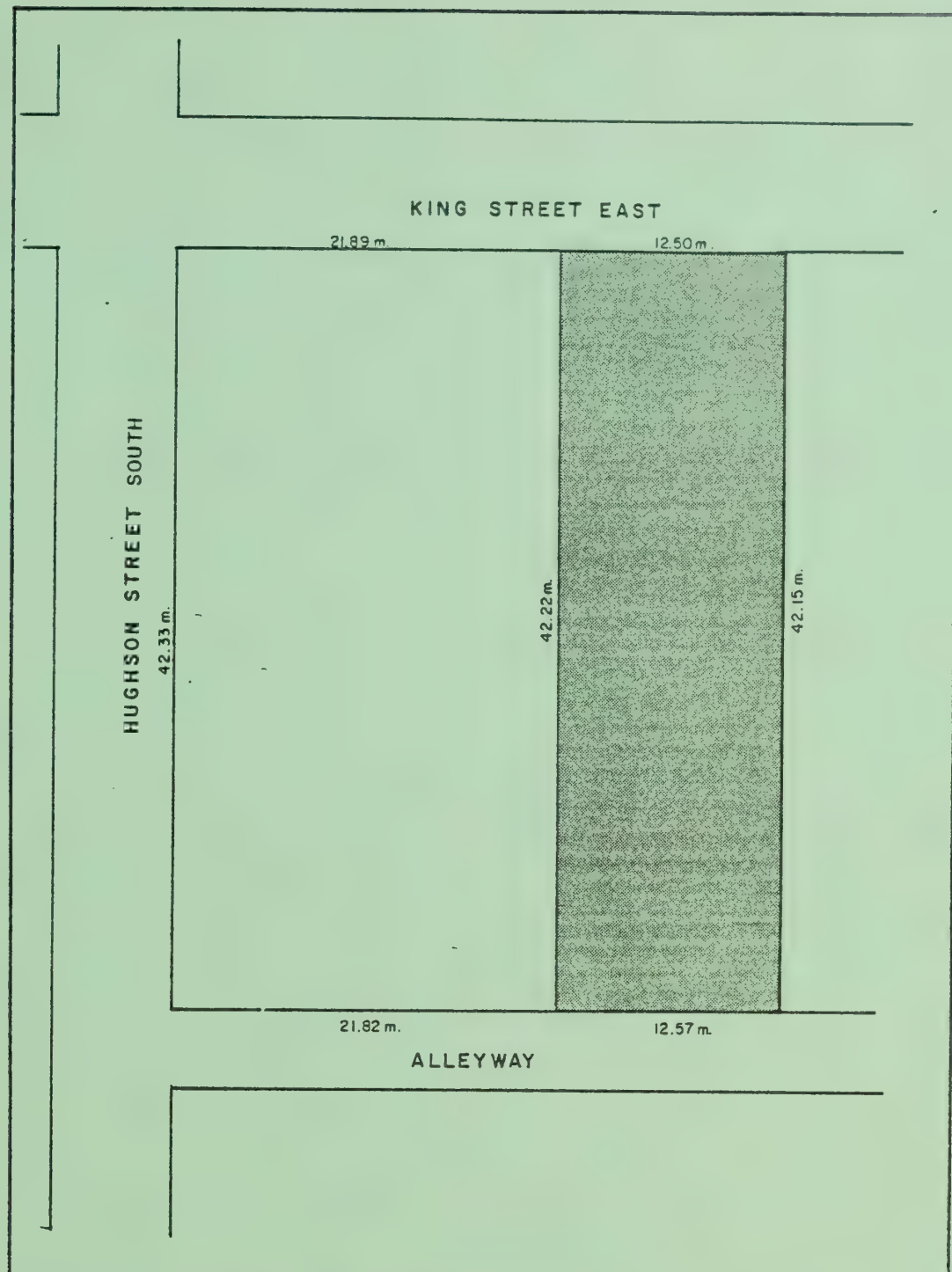


Scale
 NOT TO SCALE

Date
 NOV, 1987

Reference File No.
 C. I. 87-J

Drawing No.



THIS IS SCHEDULE "A6" TO BY-LAW NO. 8 _____
 PASSED THE _____ DAY OF _____

 Clerk

 Mayor

CITY OF HAMILTON

SCHEDULE "A6"
 MAP FORMING PART OF
 BY-LAW NO. 8

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend



LANDS TO BE REGULATED BY
 BY-LAW NO. 8



North

Scale
 NOT TO SCALE

Reference File No.
 C.I. 87 - J

Date
 NOV, 1987

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Adopt:

Official Plan Amendment No. 70

Respecting:

THE SOUTHERN PORTION OF THOSE LANDS
KNOWN MUNICIPALLY AS NOS. 282, 284, and 288 GRAYS ROAD,
WITHIN THE RIVERDALE EAST NEIGHBOURHOOD

The Council of The Corporation of the City of
Hamilton enacts as follows:

1. Amendment No. 70 to the Official Plan of the
Hamilton Planning Area consisting of Schedule 1, hereto
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such
approval of the Official Plan Amendment referred to in
section 1 above, as may be requisite, be obtained and for
the doing of all things for the purpose thereof.

PASSED this day of A.D. 1989.

City Clerk

Mayor

AMENDMENT NO. 70
TO THE
CITY OF HAMILTON OFFICIAL PLAN

The following text together with Schedule "A", attached hereto, constitute Official Plan Amendment No. 70.

PURPOSE

The purpose of this Amendment is to redesignate the subject lands from "UTILITIES" to "COMMERCIAL".

LOCATION

The lands affected by this Amendment are the southern portion of those lands known municipally as 282, 284, and 288 Grays Road, within the Riverdale East Neighbourhood.

BASIS

The proposal is to develop the subject lands for a 3 storey building having commercial uses on the ground floor and residential dwelling units on the second and third floors. The basis for permitting the proposal is as follows:

- it is compatible with existing development in the surrounding area;
- it provides rental accommodation (16 dwelling units) which is in short supply; and
- the commercial uses are restricted to those permitted in the "CR" (Commercial/Residential) District. Restricting the commercial uses avoids potential conflicts with the residential units.

ACTUAL CHANGE

1. Schedule "A" - Land Use Concept be revised by redesignating the subject lands from "UTILITIES" to "COMMERCIAL", as shown on the attached Schedule "A" of this Amendment.

IMPLEMENTATION

A Zoning By-law amendment will give effect to the intended use of the subject lands.

This is Schedule 1 to By-law No. 89-_____, passed on the ____ day of _____, 1989.

The Corporation of the
City of Hamilton

City Clerk

Mayor

CL-M:BK
0015P

schedule A amendment no. 70

to the
official plan
for the
city of hamilton

legend

are to be changed from
"Timber" to "Commercial"

date Feb. 1990 drawn by D.G. reference file no. Pg. 2-70

DEFERRED NO D-6
UNDER SECTION 14(1) OF
THE PLANNING ACT

Little Ontario



land use concept

legend

- residential
- commercial
- industrial
- open space
- open water
- major waterway
- urban
- central policy area
- city of hamilton
- city of hamilton

schedule A
to the official plan
for
the city of hamilton

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 282, 284 AND 288 GRAYS ROAD

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 70, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, 1983.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "HH" (Restricted Community Shopping and Commercial) District provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,

(a) notwithstanding Section 14A(1)(a) of By-law No. 6593, the following use is permitted:

1. a 16-unit multiple dwelling, provided same is attached to any commercial use permitted under Section 15B(3)(b) of By-law No. 6593;

(b) notwithstanding Section 14A(2) of By-law No. 6593,

(i) no building for a use referred to in subsection (a) shall exceed three storeys, and

(ii) commercial uses shall be permitted within the first storey only;

(c) notwithstanding Section 14A(3)(b) of By-law No. 6593, a side yard not less than 1.5 m in width shall be provided and maintained along the southerly lot line, for the use specified in subsection (a) of this by-law, and Tables 3 and 4 of Section 18A of By-law No. 6593;

- (d) notwithstanding Section 18A(17)(b) of By-law No. 6593, there shall be provided and maintained one (1) loading space not less than 18.0 m x 3.7 m x 4.3 m in size, for the use specified in subsection (a);
- (e) there shall be provided and maintained as landscaped area not less than 44% of the area of the lot, not less than 28% of which landscaped area shall be provided and maintained at grade, for the use specified in subsection (a);
- (f) there shall be provided and maintained along the southerly lot line and rear lot line, for the use specified in subsection (a),
 - (i) a planting strip not less than 1.5 m in width, and
 - (ii) a visual barrier not less than 1.2 m and not more than 2.0 m in height;
- (g) all residential uses shall be completely and functionally separate from any commercial use, and pedestrian access to the residential units shall be completely separate from pedestrian access to the commercial uses.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1114.

4. Sheet No. E-123 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1114.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1989.

City Clerk

Mayor

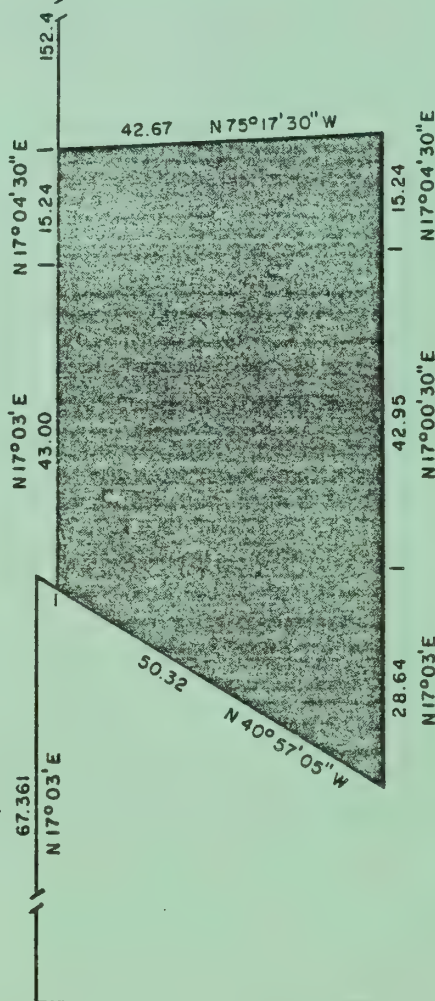
(1989) 5 R.P.D.C. 31(b), February 14
Tyka Investments Limited, Owner
ZA-88-101

NORTHWEST CORNER
OF LOT 22 - CON. 2

BARTON STREET EAST

GRAYS ROAD

BRITANNIA AVENUE



NOTE: ALL DIMENSIONS
ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 89-_____
PASSED THE _____ DAY OF _____

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"
MAP FORMING PART OF

BY-LAW NO. 89-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

 LANDS TO BE REGULATED
BY BY-LAW NO. 89-

North



Scale

NOT TO SCALE

Date

FEB. 17, 1989

Reference File No.

ZA 88-101

Drawn By

Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Amend:

Zoning By-law No. 6593

As Amended By:

Zoning By-law No. 71-97

Respecting:

LAND LOCATED AT MUNICIPAL NO. 75 CENTENNIAL PARKWAY NORTH

WHEREAS By-law No. 71-97, passed on the 30th day of March 1971 and approved by the Ontario Municipal Board on the 24th day of August 1971, (File No. R.5841-71), amended Zoning By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821), to change the zoning from "AA" (Agricultural) District and "JJ" (Restricted Light Industrial) District to "G-1" (Designed Shopping Centre) District and to establish special requirements with respect to the lands located in the City of Hamilton, in the area bounded by Centennial Parkway, Queenston Road, Kenora Avenue and a road to be established along the north limits of the lands;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 14 of the 6th Report of the Planning and Development Committee at its meeting held on the 28th day of February 1989 directed that Zoning By-law No. 6593, as amended by By-law No. 71-97, be further amended to establish an additional special requirement under Section 19B of By-law No. 6593 with respect to the lands located at Municipal No. 75 Centennial Parkway North;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G-1" (Designed Shopping Centre) District provisions as contained in Section 13A of By-law No. 6593, as amended by By-law No. 71-97, applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the following special requirement.

(a) notwithstanding Section 13A.(1)(iii) and section 13.(1)(vii) of By-law No. 6593, the following COMMERCIAL USE shall be permitted:

1. a restaurant or refreshment room with dancing or other entertainment.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-1" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-199a.

4. Sheets No. E-104 and E-105 of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-199a.

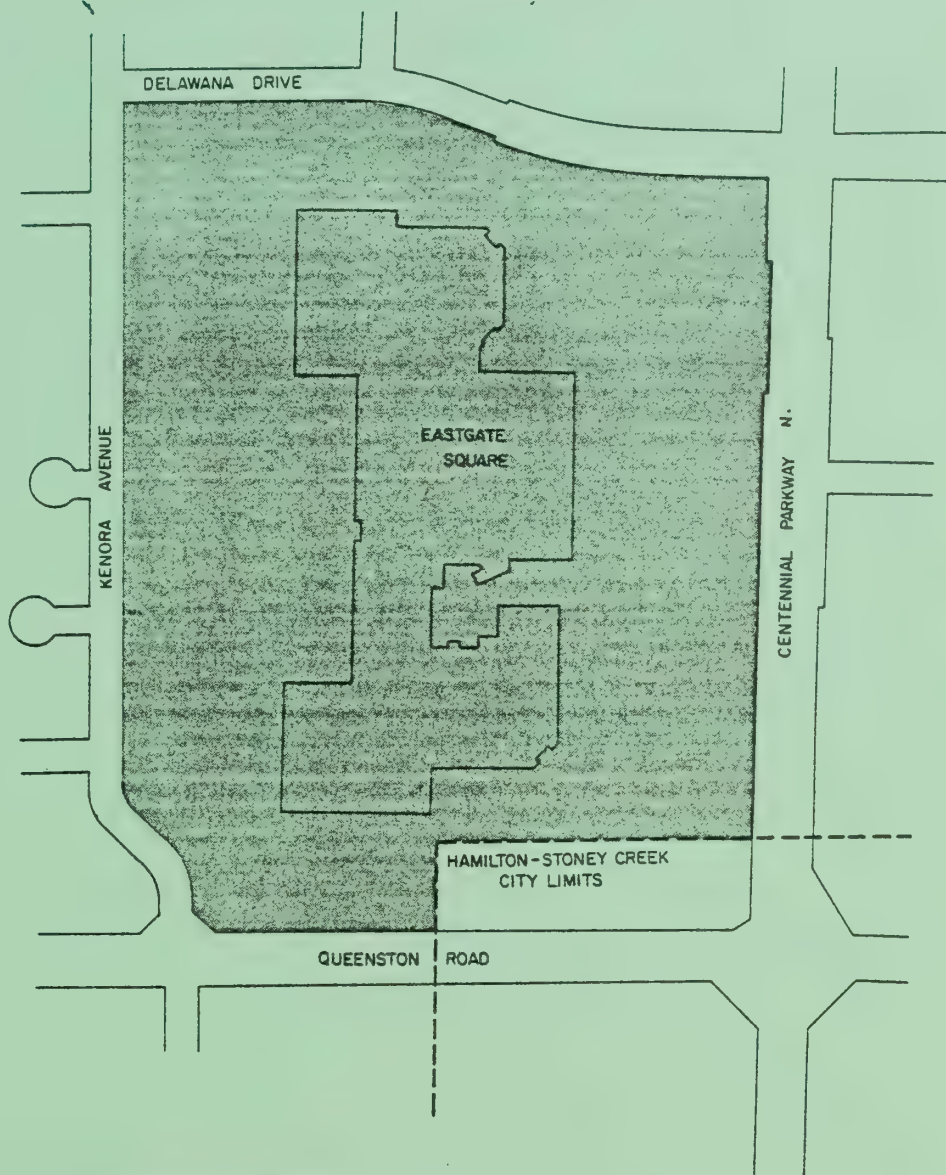
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act, 1983.

PASSED this day of A.D. 1989.

City Clerk

Mayor

(1989) 6 R.P.D.C. 14, February 28
Cadillac Fairview Corporation Limited, Owner
ZA-88-120



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 89-.....
 Passed the day of, 1989.

.....
 Clerk

.....
 Mayor

City of Hamilton

Schedule A

Map Forming Part of
 By-Law No. 89-.....

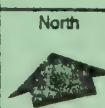
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
 Planning and Development Department

Legend



Lands to be regulated by By-Law No. 89-



North

Scale
 NOT TO SCALE

Date
 February 1989

Reference File No.
 ZA 88-120

Drawn By
 A.P.

The Corporation of the City of Hamilton

BY-LAW NO. 89-

To Authorize:

A TARIFF OF FEES

WHEREAS subsection 68(1) of The Planning Act, S.O. 1983, Chapter 1 provides as follows:

68. (1) The council of a municipality may by by-law prescribe a tariff of fees for the processing of applications made in respect of planning matters, which tariff shall be designed to meet only the anticipated cost to the municipality or to a committee of adjustment or land division committee constituted by the council of the municipality in respect of the processing of each type of application provided for in the tariff;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 16 of the 6th Report of the Planning and Development Committee at its meeting held on the 28th day of February 1989, established a tariff of fees as hereinafter provided.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The amount of the fees for processing applications made in respect of the planning matters hereinafter referred to in column 1, shall be in the amounts for each of the corresponding years referred to in Table 1, as follows:

TABLE 1

Application (Column 1)	Processing Fee Payable	
	1989	1990
1. Rezoning Application	\$500.00	\$750.00
2. Official Plan Amendment	\$500.00	\$750.00
3. Site Plan Application	\$250.00	\$350.00
4. Approved Site Plan Amendment	\$100.00	\$150.00

2. The fees shall be paid at the time of and with the making of an application.

3. No application shall be deemed to have been made and no application shall be received, unless the fee is paid in accordance with section 2.

4. (1) The tariff of fees for 1989 shall take effect on the 1st day of March 1989.

(2) The tariff of fees for 1990 shall take effect on the 1st day of March 1990.

5. By-law No. 87-55, passed on the 24th day of February 1987, is repealed.

PASSED this day of A.D.1989.

City Clerk

Mayor

(1989) 6 R.P.D.C. 16, February 28
City Initiative 83-B



ACCO®

ACCOMPRESS

YELLOW	25070	JAUNE
BLACK	25071	NOIR
BLUE	25072	BLEU
R. BLUE	25073	BLEU R.
GREY	25074	GRIS
GREEN	25075	VERT
TANGERINE	25077	TANGERINE
RED	25078	ROUGE
X. RED	25079	ROUGE X.

ACCO CANADA INC.
WILLOWDALE, ONTARIO

HAMILTON PUBLIC LIBRARY



3 2022 21334254 2